



**TOWN OF CECILTON, MARYLAND**  
**Comprehensive Plan**  
**FINAL DRAFT - NOV 2006**

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- Map #1-Existing Land Use
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- Map #3-Future Growth Plan w/Transportation Component
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## LISTS

1. Needed Park Improvements-Developers Dedication of Recreational Facilities
2. Public Services Suggestions for Developers-Needs and Requests of the Community

## **INTRODUCTION**

The Comprehensive Plan is the official statement of the Mayor and Council of Cecilton setting forth policies concerning desirable future growth, which serves as a general guide to public and private development decisions. Once adopted, it became the basis for the preparation of specific policies, programs and legislation, such as zoning ordinances and subdivision regulations, and other actions, which implement the growth policies, set forth in the Plan.

The Plan is comprised of several major elements that are prepared in such a manner that they form an integrated, unified document for guiding future growth and development. As a policy document it is general, comprehensive, and long range in nature. It is comprehensive in that it encompasses the entire geographic area of the Town and includes all functional elements that bear upon its physical development, such as transportation, land use, and community facilities. It is general in that it summarizes policies and proposals but does not for the most part establish detailed regulations or indicate specific locations. It is long range in that it looks beyond current issues to problems and opportunities related to future growth over the next twenty years.

## **THE VISION FOR CECILTON**

Identifying a broad-based and widely supported community vision for the Town of Cecilton is the main component of the comprehensive planning process. The Plan's vision and its goals and objectives are established to build a framework for how the Town desires to grow and develop. Goals and objectives serve as the basis for formulating all Town policies, which will affect public and private decisions relative to the preservation and growth of Cecilton.

The overall vision for the Town of Cecilton is:

*To preserve Cecilton's rural and Town character while promoting it as an attractive residential community with a viable employment base and a healthy natural environment.*

The Town's character has been determined by its historical architecture dating between the mid 1800's and the early 1900's, which includes Colonial, Federal and Victorian styles.

## **THE FRAMEWORK FOR PLANNING**

As Cecilton and the surrounding environs grow and change over the next twenty years, this Comprehensive Plan will serve as a guide for making public and private decisions regarding the Town's growth and development. This Plan presents a future vision of Cecilton into the year

2020 along with recommendations for bringing that vision to fruition. The ideas of the Plan are a distillation of the community's many desires, tempered by what seems feasible and reasonable. This Plan is not intended to be a static document. It should be reviewed and updated every six (6) years to reflect new development trends, shifts in the economy, or changes in the community's goals and objectives.

Cecilton finds itself in a rapidly changing environment. The large land holdings surrounding the Town are still relatively intact, but development pressures exist from encroaching subdivisions and other unincorporated areas. This Comprehensive Plan particularly addresses the preservation and enhancement of Cecilton's special qualities: the quiet, neighborly, small town atmosphere with the rural historic character of the Town.

## **LEGAL BASIS FOR COMPREHENSIVE PLANNING**

### **Article 66B**

Article 66B of the Annotated Code of Maryland is the Zoning and Planning enabling legislation from which the Town of Cecilton derives its powers to regulate land use. Section 3.05 sets forth the minimum requirements for a comprehensive plan, which shall include, among other things:

- A statement of goals and objectives, principles, policies, and standards;
- A land use plan element;
- A transportation plan element;
- A community facilities plan element;
- A mineral resources plan element, if current geological information is available;
- An element which shall contain the planning commission's recommendations for land development regulations to implement the plan; and
- Other elements, such as a community renewal, housing, conservation, natural resources, at the discretion of the commission.

### **Maryland Economic Growth, Resource Protection and Planning Act of 1992**

The context for planning in the Town of Cecilton must also take into consideration the role that the Town will play in implementing the overall growth management policies established by the State of Maryland in the Planning Act of 1992. The policies were used as the overall guiding framework for the Cecilton planning process. Stated as "visions" for the future, these policies are:

1. Development is concentrated in suitable areas;
2. Sensitive areas are protected;
3. In rural areas, growth is directed to existing population centers and resource areas are protected;
4. Stewardship of the Chesapeake Bay and the land is a universal ethic;
5. Conservation of resources, including a reduction in resource consumption, is practiced;
6. To assure the achievement of 1 through 5 above, economic growth is encouraged and regulatory mechanisms are streamlined;
7. Adequate public facilities and infrastructure under the control of the County or Municipal Corporation are to be planned in areas where growth is to occur; and
8. Funding mechanisms are in place to achieve all other visions.

The Maryland Economic Growth, Resource Protection and Planning Act of 1992 also added the requirement that the comprehensive plan contain a Sensitive Areas Element, which describes how the jurisdiction will protect the following sensitive areas:

- Streams and stream buffers,
- 100-year floodplains,
- Endangered species habitats,
- Steep slopes, and
- Other sensitive areas a jurisdiction wants to protect from the adverse impacts of development.

### **Maryland Smart Growth and Neighborhood Conservation**

In its 1997 Session, the Maryland General Assembly strengthened Maryland's response to the continuing and damaging effects of suburban sprawl by enacting Maryland's Neighborhood Conservation and Smart Growth Initiatives. The Smart Growth initiatives enhance the Economic Growth, Resource Protection, and Planning Act of 1992. Smart Growth now gives the State programmatic and fiscal tools to assist local governments meeting sound growth policies and implementing the Visions of the Planning Act.

Smart Growth established a policy for the use of State funds to support communities and influence the location of development. Building on the foundation of 66B and the 1992 Planning Act, Smart Growth designates State priority funding areas. These priority funding areas are locations where the State and local governments want to target their efforts to encourage and support economic development and new growth. These areas include: Maryland municipalities, other existing communities, industrial areas, and planned growth areas designated by counties.

The Maryland Office of Planning lists the following major responsibilities local governments have in the implementation of Smart Growth:

- Preparing and periodically updating Comprehensive Plans which are consistent with the Vision;
- Assuring that implementation mechanisms and development regulations are

- consistent with local Comprehensive Plans;
- Designating and mapping priority funding areas, in accordance with established standards;
- Providing water and sewerage in priority funding areas;
- Certifying proposed projects' location in priority funding areas;
- Authorizing State approval of selected Rural Legacy Areas; and,
- Enacting property tax incentives to participate in Brownfield's Revitalization Program.

## **COMPONENTS OF A GROWTH MANAGEMENT PROGRAM**

This Comprehensive Plan provides the basic framework and direction for all components of what may be considered the Town's overall Comprehensive Planning Program. It is not a stand-alone document but is supported and, in turn, supports related Planning Program documents such as the ones listed below.

- Zoning Ordinance
- Land Subdivision Regulations
- Capital Improvements Budget

These documents and others, when used concurrently, are the basis for directing and managing growth in Cecilton.

# **Chapter 1 - COMMUNITY PROFILE**

## **HISTORICAL BACKGROUND**

Cecilton, a small town located in southern Cecil County, was incorporated in 1864. The Town was built around two major roads, MD 282 and MD 213. MD 213 is an important north-south corridor that connects US 40 and US 301. Northern Cecil County and New Castle County, Delaware serve as the main commercial areas for the Town.

Today, Cecilton remains a quiet, mostly single-family community supported by agriculture and summer residents. It is the only incorporated Town in Cecil County's First Election District. The Town is the hub for most of the community and public facilities and services for most of the lower County. The Town contains an elementary school, recreation facilities and athletic fields, and the area's only public library. It has a varied collection of professional offices, retail establishments and repair businesses.

The Town government is made up of a Mayor and four Town Council members who are responsible for carrying out the Town's day-to-day business. The Town buildings are generally in good repair and most homeowners are diligent in maintaining appearances and improvements on their properties.

## **SOCIO-ECONOMIC BACKGROUND**

### **Past Growth**

During the twenty years from 1980 to 2000, Cecilton's town population dropped by 6.7 percent. The population in 2000 was 47 percent male and 53 percent female.

### **Population Growth**

District/Town	1980	1990	2000	% Increase 1980-2000
Cecil County	60,430	71,347	85,951	42.20%
Cecilton, District	2,880	3,386	3,933	36.60%
Cecilton, Town*	508	489	474	-6.70%

Source: 2000 U. S. Census

\* While the population figures show a slight decline as of the 2000 Census, estimates from MDP, July 2004, indicate a population of 482 for the Town.

In comparison, Cecilton district continued to grow during this entire period, witnessing a 36.6 percent growth rate from 1980-2000. Cecilton town declined as a percentage of Cecil County (.8 percent in 1980 to .6 percent in 2000) and Cecilton

district also witnessed a slight decrease (4.8 percent in 1980 to 4.6 percent in 2000). The State of Maryland predicts that the County will continue to grow. If Cecilton continues to be approximately .6 percent of Cecil County's population, then the following projection (scenario 1) can be made.

#### **Population Projections (Scenario 1)**

	2010	2020	2030
Cecil County*	109,150	134,550	160,000
Cecilton, Town**	655	808	968

Source: Maryland Department of Planning, September 2005

\*Based on .6% County Growth Project

With growth and development pressure occurring in neighboring New Castle County, Delaware, Cecilton is a likely location for future growth and development. Since Cecilton is the nearest community with existing sewer and water, the Town may experience a higher annual growth rate than projected in scenario 1.

#### **Population Projections (Scenario 2)**

	2010	2020	2030
Cecil County*	109,150	134,550	160,000
Cecilton, Town**	764	940	1124

Source: Maryland Department of Planning, September 2005

\*Based on .7% County Growth Projections

#### **Age/Education**

In 2000, a significant amount of the population was below age 44. Thirty (30) percent of the population was below age 18. The population in this age range indicates a slight decline in the employable sector of our population. Thirty-three (33) percent of the population fell between the ages of 18 to 44.



### Population by Age

Cecilton	Under 5	age 5-17	age 18-24	age 25-44	age 45-54	age 55-59	age 60-64	age 65+
1990	30	77	48	132	54	26	27	95
2000	39	106	25	132	47	33	23	81

Source: 2000 U. S. Census

In 2000, the median age of the population was 37. This is higher than that of Cecil County, which was 35.5.

Of persons over 25 years of age, 72 percent possessed a high school diploma and 7.5 percent had earned a bachelor's degree or higher. Both of these numbers have gone up significantly in the past ten years.

### Employment

Approximately 225 people out of a population of 474 in 2000 were in the labor force. With an unemployment rate of 5.7 percent, Cecilton experienced higher unemployment than both Cecil County (2.8 percent) and the State (3.2).

### 2000 Labor Force

	Population	% in Labor Force	% Unemployed
Maryland	5,508,909	50.30%	3.20%
Cecil County	85,951	52.20%	2.80%
Cecilton	474	47.50%	5.70%

Source: 2000 U. S. Census

### 1999 Income and Poverty Status

	Per Capita Income	Median Income		Persons Living in Poverty	
		Households	Families	Number	%
Maryland	\$ 25,614.00	\$ 52,868.00	\$ 61,876.00	438,676	7.90%
Cecil County	\$ 21,384.00	\$ 50,510.00	\$ 56,469.00	6,066	7.10%
Cecilton	\$ 21,719.00	\$ 38,971.00	\$ 41,563.00	67	14.10%

Source: 2000 U. S. Census

Median income in Cecilton for both categories, i.e., households and families, were less than that of the County and State. The per capita income in Cecilton was slightly higher than that of the County. The incidence of poverty among persons, families and female householders in Cecilton has risen while the County and State levels both show a decline.

### **2000 Occupation of Employed and Class of Workers**

	# of Persons	Percentage
Management, professional & related occupations	31	15.20%
Service occupations	55	27.00%
Sales & office occupations	55	27.00%
Farming, fishing & forestry occupations	0	0.00%
Construction, extraction & maintenance occupations	45	22.10%
Production, transportation & material moving occupations	18	8.80%
Private wage & salary workers	164	80.40%
Government workers	28	13.70%
Self-employed workers/not incorporated businesses	9	4.40%
Unpaid family workers	3	1.50%

Source: 2000 U. S. Census

### **Persons Per Household**

In 1990, there were 2.51 persons per household in Cecilton. By 2000, that number had dropped to 2.39, a number lower than both Cecil County (2.81) and the State (2.61).

### **Housing Characteristics**

#### **2000 Housing Units**

	1 unit, detached	1 unit, attached	2-4 units	5-9 units	10 + units	Vacant
Cecilton	153	6	37	0	6	10

Source: 2000 U. S. Census

Of the 212 housing units existing in 2000, 28.3 percent were built since 1980. One hundred ninety four (194) of the units are owner occupied. Over 98 percent are on public sewer service. In 1990 the Town still showed 4 percent of the housing stock lacked complete plumbing facilities and 1.5 percent lacked complete kitchen facilities. In 2000 all are now equipped with complete facilities.

## **Chapter 2 - LAND USE**

### **GOALS AND OBJECTIVES**

#### *GOALS*

- \*Preserve Cecilton's small town character and unique rural atmosphere which includes a predominance of single-family, town-scale residences and visual open spaces at the Town's entrances.
- \*Maintain neighborhood stability and property values by avoiding incompatible land uses.
- \*Assure balanced growth between residential, commercial, industrial and public use areas that meet the needs and improves the quality of life of the residents of Cecilton.
- \*Develop an APFO (Adequate Public Facilities Ordinance), AAPFA (Annexation Agreement and Public Facilities Agreement) and a DRRA (Developers Rights and Responsibilities Agreement ) for use with new development and/or annexation.
- \*New development needs to be compatible with the existing Town. It is recommended the Town adopt "Design Standards" to meet this goal.

#### *OBJECTIVES*

- \*Provide sufficient opportunities for varying residential, commercial and light industrial uses which are in keeping with the small town values and rural character of Cecilton.
- \*Accommodate growth primarily through development of vacant lands within the Town's current boundaries and secondly, through selective annexation of adjacent lands.
- \*Establish priorities for sewer service extension to be in accordance with the Comprehensive Plan and Future Growth Plan, Map 3.
- \*Maintain opportunities for a viable economic base which encourages further economic investment, diversification and expansion which offer a broad range of employment and business opportunities adequate to meet Town and County residents needs and enhance the tax base of the Town.

## **BACKGROUND**

A small town rural character surrounded by a large, sparsely populated agricultural area typifies the Town of Cecilton. The land use plan is designed to protect and foster the small town character and appearance of the Town. In keeping with the general character of Cecilton, most of the developed land is given to low-density residential use. Most of the commercial property is concentrated around the intersection of MD 213 and MD 282.

## **EXISTING LAND USE**

The existing land use (see Map 1, Existing Land Use) in the Town of Cecilton is rather well defined. The commercial area is comprised of a variety of shops and businesses. The remaining properties within the Town are residential, public and semi-public.

The Town is approximately 288 acres and contains 305 parcels of land as of April 2005. Approximately 58 parcels of these are unimproved. There are 212 housing units as of the 2000 U. S. Census. Upgrades to the Town water and sewer in Cecilton are planned and are in keeping with any growth that could occur. The land holdings adjacent to the Town are large single owner properties. Annexation must be contiguous to the existing boundaries. There is an interest in the northeastern, southeastern and southwestern quadrants of the Town for development.

The undeveloped parcels within the Town could be developed if property owners were encouraged to do so. These parcels should be given the first option of subdivision before any annexation is considered.

State and County policies seek to direct new development in and around existing population centers. The County's Comprehensive Plan rezoning has zoned the land adjacent to the Town as Town District. Areas served by public water and sewer are allowed up to four dwelling units per acre for single-family residential and ten units for townhouses or apartments. In areas without water or sewer, density is one dwelling unit per acre or two if clustered in areas. With this in mind, the Town could expect pressure from those landowners adjacent to the Town for annexation.

The Town anticipates low to moderate growth occurring in incremental and progressive stages throughout the 10 to 20 year design life of this plan. The Town is developing a water supply, treatment and storage facility to accommodate growth at present but future expansion will require funding through a developer. The Town is also in the process of designing upgrades to its' wastewater treatment plant to accommodate moderate growth. Developers will be required to fund additional capacity over and above hook up fees, which are used to maintain our systems.

To guide this expected growth within the existing corporate limits, land use districts have been included in the plan and are shown on Map 2, Land Use Plan. The Town desires that Cecilton grow in a compact pattern with the crossroads of MD 213 and MD 282 at the center. The planning area provides potential for infill growth within the planning area boundary.

All development proposals will be required to utilize the Town utility system. In order to reserve some sewerage treatment capacity for additional uses within the existing Town boundaries and for uses in more than one annexation quadrant, no one developer or no one annexation quadrant shall be granted more than fifty (50) percent of the available yearly allocation, issued by the Maryland Department of the Environment, in any given year. This may be otherwise negotiated per written agreement between the developer and the Mayor and Council should the developer provide a new treatment system and/or upgrades to the existing treatment system that would make additional hook ups available. Proposed annexation agreements may include a requirement to set aside portions of the site for necessary public community facilities and provide fees-in-lieu of land dedication for public purposes. Of particular interest are lands adjacent to the Town sewerage lagoon, which are needed to substantially increase the capacity of our sewer system. Lands set aside for public community facilities can be deducted from an open space requirement.

Land uses are divided into six categories: residential (low density and medium density), commercial (town center and highway), industrial, parks/recreation/open space, public/semi-public, and agricultural. There are not any specific agricultural lands listed on our Land Use Plan, Map 2. See also the Official Zoning Map of Cecilton, Maryland adopted 5/29/01.

- 1. Residential Land Use.** An important part of guiding development is to establish appropriate guidelines addressing the intensity of development permitted within the Town. Population densities determine the level and expense of community facilities and services, which are essential for protecting the health, welfare and safety of Town citizens. Facilities such as sewer, water, roads and parks are planned and constructed based upon the ultimate number of housing units and people served. Establishing specific density levels, therefore, becomes a basic policy decision in order to properly guide policy boards in preparing plans to meet future growth changes.

Two residential density categories should be considered in Cecilton. The designations apply to broad areas and individual developments and may not always occur at the exact population level identified for each density category. These incidental developments will not alter the overall purposes of the category.

### **-Low Density**

The predominate residential category in Cecilton should be low density residential. Low density residential areas are those designated primarily for single family detached homes, together with facilities commonly incidental to and related to residential activities. These areas may be developed in a density range of approximately 1-3 units per acre. Areas without sewer service should always be considered low density (as of 2000 there are five grandfathered properties that are without Town sewer services) although there will be no further development allowed, whether in fill or annexed, without utilizing Town water and sewer services. Using the average household size for the County as a guide, a low density residential area would average approximately 3 to 12 persons per acre. The density (2000) in Cecilton is slightly over four persons per acre, which is consistent with this standard and appropriate for residential areas.

### **-Medium Density**

Medium density ranges from 11 to 22 people per acre or, in other terms, about 4 to 7 dwelling units per acre assuming 3 people per dwelling unit. Medium density is proposed to allow for development that is more intensive than low density, yet not so intense that it creates a burden upon the service capabilities of the Town. The medium density category is attainable only with community sewer and water service.

#### **a) Mixed-Use Residential**

This designation applies to areas in the Town that have a mix of both single family residential properties and other medium density residential properties, such as townhouses, condominiums and apartments. The mixed-use development category has been designated to allow for development that is more intensive than single family residential densities, but again not so intense as to create a burden upon service capabilities of the Town. In addition, the mixed-use residential category allows for commercial properties that provide daily services to residences of the community (neighborhood businesses). Mixed-use structures that are built under this residential category should adhere to all mixed-use housing standards and developments that are designed in a manner that complements the current pattern of development and is consistent with the *character of the existing historic Town architecture*.

**b) Planned Unit Development (PUD)**

The intent of this classification is to designate areas of the Town that include larger, undeveloped tracts where additional residential and/or commercial development is encouraged. The type and intensity of residential and commercial development should be determined on the basis of a proposed overall development concept submitted by the developer. The Town should consider the concept's consistency with the Comprehensive Plan as well as adjacent and existing land uses. Development may be established in a range between the low density and medium density categories discussed above. (Refer to Section 6. Overlay District Regulations in the Town Zoning Ordinances.)

- 2. Commercial Land Use.** The Comprehensive Plan recognizes the need exists for several types of low intensity commercial development within the Town. It is essential to recognize existing commercial areas and provide, consistent with the Town's development concept, areas for necessary future expansion in order to allow healthy growth of this important sector of the economy.

Two types of commercial land use categories are recommended for use in Cecilton.

**-Town Center**

In the Town Center, commercial development will not be as intense as in the Highway Commercial area. The primary focus in Town Center is preservation of existing commercial and promotion of new commercial properties (i.e., antique shops, farmers markets, etc.) that can create or enhance a small tourism business.

The Town Center may be appropriate location for such commercial activities as grocery stores, post offices, drug stores, general stores, service stations, banks, and public buildings. The Town Center zoning that presently exists is of sufficient size to meet the foreseeable demand in Cecilton and no other centers are planned at this time.

The zoning for Town Center provides for some new commercial uses in Town. Most of these will be considered a "permitted use" while others may be permitted by Special Exception, a process that permits the Town to review each application on a case-by-case basis with built-in safeguards to insure impacts to adjacent residential areas are minimized, including adequate parking requirements,



limits on signage and lighting, and landscape and bufferyard requirements.

### **-Highway Commercial**

Highway commercial is a term that applies to commercial activities that depend on highway traffic for business. These areas are generally retail and service establishments that locate in a linear or strip fashion along high volume highways for accessibility and visibility. Although serving an important function in the local economy, these uses can also create numerous problems, which impair the efficient operation of highways.

Highway commercial uses typically include restaurants, service stations, convenience stores, produce markets, farm equipment businesses, and building suppliers. The recommended location for highway commercial activity in Cecilton would be along strategic portions of MD 282 and MD 213. Other considerations are addressed in the following required policies:

1. No on-highway strip commercial development will be permitted. Off-highway cluster type commercial development is required in the Town.
2. Individual entrances should be consolidated into as few access points as possible. This is required in the Zoning Ordinances and Subdivision Regulations and all entrance locations must be coordinated with the State Highway Administration.
3. Appropriate regulations have been developed to provide adequate off-street parking, sign control, and buffering to protect nearby residential areas and must be strictly adhered to by the developer.
4. Suitable landscaping and buffering measures shall be required adjacent to all property lines and along highway frontages.
5. Uses shall be regulated to ensure compatibility within the highway commercial cluster and with nearby non-commercial activities.
6. The Town should adopt architectural design standards to assure that new development is consistent with the Town's historical character.

- 3. Industrial Land Use.** Industrial development includes activities such as processing, manufacturing, assembly, and storage of bulk commodities. Often industrial development is incompatible in residential areas; however with proper site treatment, light industry may be suitable at in-town locations. Heavy industrial uses are usually separated from other land uses in a community and often have access to major highways. Cecilton could provide opportunities for future industrial activities through annexation. Any future opportunities for industrial development shall be in compliance with current zoning which limits the types of industrial land uses in the Town.
- 4. Parks/Recreation/Open Space Land Use.** This use of our land for recreational purposes is a vital part of Cecilton. The Town Park Advisory Board developed a Master Park Plan in 1998. This park plan establishes the goals and objectives for the use, operation and maintenance of the park. Certain use relationships, already established in the park, should be continually evaluated along with vehicular and pedestrian traffic circulation as part of the continuing improvement of the Master Plan. Other open space in the Town may someday be put to use but is not part of any plans at present.
- 5. Public/Semi-Public Land Use.** Public land covers a variety of uses for health, education, safety, and general well being of the public (e.g. Town offices, post offices). They affect both the living and working environment of all residents.

Although most of the material in this section is more thoroughly discussed in the other elements, public land uses are summarized here to show how they relate to the other types of land uses and elements of the Plan. Once the desired living and working activities are described in the other land use sections, the Town must determine what its responsibilities are in accommodating these land uses and determine how to meet these responsibilities. The utilization of lands for public use, then, supports the planning of residential, commercial, and industrial development.

For purposes of this report, *public land uses* are defined as those uses that are owned and controlled by a public body for use of or service to the general public. *Semi-public land uses* are those that are owned and controlled by a private or civic group for the purpose of aiding in the health, education, safety, or well being of the public. Unless semi-public facilities are available to the community at large, they will not be discussed beyond the following section. They are identified on the Existing Land Use Map (Map 1).

The demand for public services is heavily dependent upon the anticipated residential, commercial, and industrial land uses. Services will be demanded according to where the people wish to live, work, and play. Some of the facilities, which people usually ask from a municipality, are public water, public sewer, good roads and sidewalks, recreational areas, police, fire protection, and public parking. These are directly used by the public and are therefore, obviously needed.

There are other facilities, however, which are not often requested by local citizens, but are still required for their well being. Conservation areas and open space along drainage ways do not directly benefit citizens in their daily lives, yet are important in preserving water quality for the general public.

- 6. Agricultural Land Use.** While Cecilton is surrounded by farmlands there is presently only a small amount of acreage inside the Town limits used for agriculture. Through annexation this may someday become a larger part of our Town.

## **LAND USE POLICIES**

### **Town Capacity Analysis**

This analysis summarizes the land within Cecilton that is available for development by assuming that public water and sewer infrastructure is available (or will be made available). It further assumes a density yield of 3.0 dwelling units per acre (which is less than the density permitted by zoning). Zoning density is a theoretical figure that does not account for dedicated public lands such as streets, sidewalks, storm water management areas, recreational areas, environmentally sensitive conditions and other features and uses that restrict or constrain a site's suitability for residential structures.

#### **-InTown Capacity**

Of the approximately 123 acres in residential land use within town, 49 acres distributed among 51 parcels are either vacant or underutilized\* and have an R-1 residential zoning classification. Vacant lots include six or seven parcels that are close to or under 0.1 acres in size. These small parcels would most likely be too small to be developed under existing lot size and setback restrictions in the Town Zoning Ordinances. Five other parcels, though zoned R-1, have no practical development futures because they are either publicly owned parcels or are used as cemeteries or similar non-residential uses. This results in an estimated 147 additional potential dwelling units.

\*Two parcels were included that contain "improved assessed values" of \$4,101 and \$7,430. These values suggest garage or shed structures that might be replaced with dwelling units.

Using the Census 2000 average household size (for Cecilton) of 2.4 persons per household yields a maximum theoretical population growth capacity of 352 persons. Using the average family size of 2.9 persons per family results in an additional 426 persons that existing vacant residential land within Cecilton can accommodate.

One hundred forty-seven dwelling units, if allocated 250 gallons per day of water and sewerage capacity, would require 36,750 gallons per day of system capacity. While 250 gallons per day dwelling unit may be a conservative requirement, based on actual usage as measured during dry weather, it is useful for planning purposes and provides a conservative cushion that should provide sufficient water supply for fire fighting purposes and wastewater treatment plant capacity to treat wet weather inflow and infiltration system seepage.

Review of the actual Cecilton parcel inventory based on Department of Assessment and Taxation records reveals that of the 51 existing R-1 parcels, only six are large enough to include any subdivision potential. If maximum yield could be generated from these parcels, they could accommodate 94 dwelling units. There exist 21 vacant lots that are actively being marketed and a total of 33 vacant lots that could be built upon in their existing configuration. Ninety-four plus thirty-three equals 127 potential dwelling units. Therefore, this represents a more realistic maximum development capacity of the intown vacant land. One hundred twenty-seven dwelling units could support a population increase of 302 residents in unrelated households. In addition to the twenty-one active lots, there are seven absentee owners of vacant lots. It seems likely that these owners may wish to construct dwellings for themselves at some point or consider the lots investments for speculation. Highest development pressure potential is therefore assigned to these 32 lots. Sewer capacity for those 32 lots represents 8,000 gallons per day.

Additionally, almost 79 (calculated) acres consisting of parts of 24 different lots and parcels are located partly in Cecilton and partly in the County. These lands have not been included in the capacity analysis so far. Ten of these parcel bits are large enough to exhibit some subdivision potential. The three largest pieces could theoretically accommodate 138 dwelling units a 3 du/acre. In total, these R-1 zoned "parcel orphans" could theoretically accommodate 207 dwelling units. However, very careful parcel specific study needs to be conducted to verify actual development capacity due to location and access limitations. It is likely that many of these areas do not have easy road access. Evaluation based on Assessment and Taxation records suggest a slightly different potential scenario. Two of the larger parcels are in public ownership, and only six are classified as both vacant and large enough to be subdivided. Accordingly, the theoretical yield for these six properties (totaling 58 acres) is around 174 dwelling units at maximum assumed buildout. However, that also assumes that the entire acreage of these jurisdictionally "split" parcels is brought into the town. *Accordingly, that number should only be used for preliminary site-specific analysis and planning.*

## -Planning Area Capacity

The calculated area of the Planning Area is about 725 acres. About 79 acres, which consist of parts of those surrounding lands, are calculated to already lie within Cecilton. Department of Assessments and Taxation records indicate these surrounding outlying parcels comprise 845 acres. Six hundred seventy-four acres are zoned SAR (southern-agricultural-residential) by Cecil County and are in agricultural use (permitting one dwelling unit per 8 acres). One hundred seventy-four acres are zoned TR (town residential). TR parcels are intended to recognize and protect the land use and character of the towns. This district encourages development compatible with existing town development, incorporating efficient and orderly development to the periphery of incorporated towns. This consistency is to provide for extension of services and possible annexation by the towns. It is the intent of the Cecil County zoning ordinance that the boundaries of the TR district be consistent with those areas that the towns may annex within the life of the ordinance and are served or will be provided municipal water and sewer service. The County's development options include three scenarios:

- a. without community facilities-One dwelling unit per acre;
- b. with community facilities-Four (4) dwelling units per acre; and
- c. Planned Unit Development (PUD)-Six (6) dwelling units per acre

Additional design considerations and restrictions apply to specific development scenarios. Clearly, should Cecilton pursue annexation of the 174 acres of TR lands within the Planning Area, such action would be consistent with the Cecil County Comprehensive Plan. If R-1 zoning were subsequently applied to these lands, realized net yields could be anticipated at about 522 dwelling units requiring an additional 130,500 gallons per day of wastewater treatment capacity. Those additional dwelling units could accommodate a household population of 1,252 people. (Maps of parcels (4) and locations attached.)

## **Town Revitalization and Development**

The Town's primary goal in land use management is to develop vacant lots in the Town and revitalize existing neighborhoods. The primary area identified for revitalization is the Town Center. Providing commercial services to the community, including restaurants, convenience stores, laundromats, dry cleaners, public buildings and providing public open spaces in the Town Center is critical to the revitalization of the Town's existing neighborhoods. In addition the Town could take advantage of its access to major highway routes by promoting a small tourism trade.

Through implementation of downtown revitalization strategies, such as implementing a tax increment financing structure to encourage businesses to locate in the community, promoting alternative economic development opportunities, such as a heritage tourism program, and requiring landscaping and other buffering provisions in the Town Center, Cecilton will supplement current economic and development activities to stimulate an environment that complements its small town character.

The Town should seek state funding, through both Program Open Space and the Main Street Program to achieve short and long term revitalization goals, such as providing a Town Center green and creating a streetscape that encourages the use of Town center shopping facilities and link pedestrians to recreational opportunities. In addition the Town should also seek state support is developing a Town revitalization strategy.

### **Town Growth Area Plan**

The Town's designated growth areas (Map 3) are intended to facilitate orderly growth and development for the Town over a twenty-year period and beyond. Growth and development shall only occur when adequate public infrastructure and facilities are available. Infrastructure and facilities available for new growth include, but are not limited to, sewer and water, roads, schools, and neighborhood parks. In addition, it is critical that the design of new development is compatible with the exiting Town scale and character and connected appropriately with the Town's current transportation patterns. Consequently, extensions should be made to the Town's grid system from new development and pedestrian pathways that link to the Town Center and recreational areas should be provided whenever possible.

The Comprehensive Plan's priority land use goals are to develop within the existing Town boundaries and revitalize existing neighborhoods, but it is also understood that defining areas in which the Town will grow in the future is important to ensure that future growth is compatible with the overall goals and objectives, as well as the character of the Town. Although these growth areas are large, they reflect current growth and development trends in the Cecilton district. Recent growth and development in our district can be characterized as large lot, rural development that is drawing residents away from other Cecil County towns. In many instances this is completed with little or no coordination with municipal governments.

In addition, the growth areas have been designed to ensure appropriate transportation connections that essentially serve as an expansion to the Town's existing network (both vehicular and pedestrian). Furthermore, by designating these growth areas, the Town hopes to create certain design standards that will ensure new development is compatible with the traditional design and architectural style of Cecilton. The designated growth areas try to reflect current growth pressure as well as some needs of the community such as a designated employment area that



is proposed to create local employment opportunities to take advantage of the Town's location on two major highways.

The following designated growth areas are listed in priority order:

***Growth Area # 1 – Mixed-Use Residential Growth in North Cecilton***

Several properties in and adjacent to the existing corporate boundaries of North Cecilton, east of MD 213, provide potential opportunities for expanding quality mixed-use residential development to the Town. Property owners in this designated growth area have indicated an interest in developing their land. New development in this area could utilize proposed transportation improvements (see transportation element) to improve traffic flow in and around the Town. The character of any mixed-use residential development in recently annexed areas should take into consideration neighborhood characteristics of established residential areas. The streets in mixed-use residential areas should connect to the Town's existing grid street system and provide opportunities to extend the grid beyond the borders of the development. In addition, new residential developments are required to provide pedestrian and bicycle access to Town Center. Mixed-use developments, which include a mix of residential and commercial units, may be the appropriate type of development for this designated growth area. Special attention should be placed on the quality of all residential and commercial development in the area.

***Growth Area # 2 – Planned Unit Development***

The second area designated for growth and development through annexation is located in the southwest quadrant of Cecilton, west of MD Route 213 and south of MD Route 282. This area has been designated for planned unit development and therefore could have a mix of land uses, including commercial and residential. Through annexation, a benefit of a planned unit development scenario, the Town could have the opportunity to review and revise any site designs proposed in this area. Uses in a planned unit development that are permitted include an elder care community, a small commercial business park, and a mixed-use residential community. Again, the Town has identified some potential transportation connections (see transportation element) that will help ensure that the new development is designed as a natural extension of the Town's grid street system.

***Growth Area # 3 – Employment Center***

In order to assure adequate employment areas in and near the Town, the third area designated for growth has been targeted for potential employment opportunities. Located in the southeast quadrant of the Town, east of MD Route 213 and South of MD Route 282, the location is ideal since it provides adequate access to two major roads systems. A business park or light manufacturing business could be located in this growth sector, which would provide further opportunity to promote the area as an employment



center. Providing adequate local jobs for the residents of the Town of Cecilton is a goal and locating employment uses at this location could provide an additional employment base.

### **Creating and Maintaining a Visual Edge to the Community-Greenbelts**

The Town of Cecilton is proposing, through the development of a greenbelt system, traffic calming devices, and increased interjurisdictional cooperation with the County and State, to create a visual edge to the community. Suburban sprawl has blurred the once distinct character of communities in Cecil County and surrounding communities throughout the mid-Atlantic. To address this issue in Cecilton, the Town is recommending a greenbelt system that surrounds the designated growth areas (see growth areas/transportation map) and is anchored on the east by Cecilton Park and on the west by Cecilton Elementary School. In addition, the visual edge should be enhanced by traffic calming devices put in place along MD 213 at the north and south entrances to the Town. These recommendations, coupled with an existing conservation easement located in the northwest quadrant of the Town, will help the community achieve and maintain a visual edge and counter the negative economic, environmental, and social impacts of sprawl development.

### **Development Design Standards**

All future development in the Town should be subject to some level of design review for compliance with minimum development appearance standards. To the extent possible, design review standards should be established as performance standards rather than inflexible and stringent criteria. The intent of these standards is to promote quality development that will build on and complement the existing rural village character of Cecilton. One of the reasons for implementing these standards is to positively influence development aesthetics. This objective is justified by the greater goals of protecting and enhancing real estate values, fostering of civic pride, and improving the overall investment climate within the Town.

Design standards are not intended to restrict imagination or development creativity, but rather to assist in focusing on development design principles, which should result in enhancing the visual appearance of the new growth areas. Development appearance standards should address such factors as: relationship of buildings to the site; relationship of existing buildings and site to adjoining areas; landscape and site treatment; building design; signs; and maintenance. These standards should not be considered cost prohibitive or overly restrictive since they embody common sense design principles traditionally employed throughout the country.

### **Annexation**

The annexation process in Maryland is entirely a legislative process and the procedures for annexation are specifically addressed in the State Code. However, the decision whether or not to annex the land lies within the discretion of the local governing body-in this case the Mayor and Council of Cecilton.

The Town should conduct very selective annexations for both economic and environmental reasons in the future. New growth shall not be at the expense of decreasing the high level of services provided to current residents of the Town.

Therefore, the overall goal stating the Town's philosophy on annexations is as follows: to encourage the orderly growth and expansion of Cecilton by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the Town.

The Town's annexation objectives are to:

- Ensure that the land use of proposed annexations is compatible with the development of adjoining properties throughout adoption of proper zoning upon annexation, with the imposition of special conditions if necessary.
- Objectively ensure through a cost/benefit analysis that any proposed annexation area will positively benefit the Town's resources prior to its actual annexation. (Details will be provided in the Adequate Public Facilities Ordinance-APFO)
- Ensure that all costs associated with the new development are accounted for and provided for in an equitable manner by the developer. (Details will be provided in the Developer's Rights and Responsibilities Agreement-DDRA)
- Identify future areas with annexation potential that are contiguous to the Town's boundaries, have development potential to suit the Town's needs, and will be beneficial to the Town.
- Determine if there is already available land in the Town for the intended uses proposed for annexation areas under consideration.

The County and Town shall coordinate their land use management and infrastructure planning in these areas to help ensure that Cecilton is able to annex lands in an orderly fashion and is not hemmed in by premature and inappropriate land uses at its borders. At a minimum, Cecilton shall be notified by the County of development proposals in these "growth areas" and given an opportunity to comment on the proposed development.

#### **Documents Relating to Development and/or Annexation**

In order to obtain the above objectives the Town will proceed with the formulation of an *APFO* (Adequate Public Facilities Ordinance). This will ensure that the developer is required to complete all studies necessary to understand what and how their development and/or annexation will affect the Town and its resources. The Town will also proceed to draft boilerplate forms of a *DRRA* (Developers Rights and Responsibilities Agreement) and an *AAPFA* (Annexation Agreement and

Public Facilities Agreement). The AAPFA shall include, but is not limited to, property description, future land use, development intentions, public facilities, public services which may include the expansion of services either currently provided by the Town or additional services not currently provided by the Town, conditions, mutual assistance and special provisions. The section under public services shall incorporate needs and requests of the community. (Suggestion list attached at back of Plan)

### **Interjurisdictional Coordination**

The Maryland Planning Act of 1992 directs local governments to coordinate their planning and development efforts with adjacent jurisdictions. Among other things, the designated growth areas are shown on this plan because they represent an area of overlapping interest with Cecil County. Efforts should be made with both the County and the Town to ensure that future development in these areas complies with the joint interests of the Town and County for growth management.

In addition to the designated growth areas, there are a number of recommendations and concepts included in this plan that will require cooperation between the County, Town and in some instances the State to achieve. Noteworthy among these are area transportation concepts, including by-pass routing of traffic, extension of the Town street grid into adjacent County areas and connections with existing County and State roads, and pedestrian facilities such as greenways and bikeways. The Town should coordinate its implementation activities as they relate to these plan recommendations.

Since state and county resources are limited in regards to capital improvements, the Town should coordinate all development and annexation policies. All future annexation areas should be planned to meet priority funding area threshold levels to qualify for certification.

### **Promoting Innovative Policies to Achieve Land Use Objectives**

The Town should seek, in coordination with the County and State, to develop and nurture innovative techniques to encourage smart growth in directed areas and achieve the Plan's land use objectives. Such innovative approaches may include: establishing public-private partnerships to promote and encourage small business development in the Town Center; develop a tax increment financing policy to encourage private investment in the commercial district; seek Main Street Program grant funding to enhance the physical characteristics of the Town Center in order to promote it as a viable alternative for local shopping and a regional destination for tourists.

The Town has examined its regulatory policies to promote streamlining in order to efficiently facilitate the permitting process, for instance, holding pre-application meetings with potential developers to review preliminary plans to ensure consistency with Town policies outlined in the Comprehensive Plan; conducting coordinated review and approval processes for new development proposals in the

County and within the Town's designated growth areas to ensure consistency with Town growth management goals and objectives; and developing a regulatory procedures guideline manual to assist the Town staff, residents, and developers when navigating the Town's regulatory processes.

Finally, the Town should continue to try to initiate a citizen outreach and education program to stimulate the private sector involvement in targeted growth and development in the Town that complement land use goals and objectives. The 1992 Planning Act encourages Cecilton to continue investigating the viability of these and other streamlining processes.

## **SUMMARY-CHAPTER 2, LAND USE**

### **Requirements and Recommendations**

- Annexation is required as a condition for extending Town community facilities and service.
- Impact fees may be required of future large-scale developers, in addition to land dedications or fees-in-lieu of dedications, for the provision of upgrading or extending public and community facilities.
- Provide local incentives to encourage new commercial development in the Town Center that will support the Town's economic viability while securing its small-town character.
- Follow all buffer yard requirements, landscaping and signage standards in the Town Center to promote a unified community identity.
- Coordinate with the County and State to ensure that the Town's designated growth areas are consistent with the County's land use plan, is in compliance with the 1992 Growth Act requirements and supports the State's Smart Growth Initiative.
- Strict performance standards, including bufferyards, shall be utilized to ensure nearby land uses and critical areas are not adversely affected by industrial sites. It is important to continue to concentrate industrial activities at specific sites in order to preserve the small town character of Cecilton.
- Only light industry (processing and assembly) shall be permitted in close proximity to residential development.
- Cecilton shall ensure that public facilities and services are available to all portions of the Town. Semi-public services, which are owned privately yet

considered, as meeting a need of the general public, shall be guaranteed to be accessible for reasonable public uses.

- Public services shall only be provided according to the community's ability to support such services.

## **Chapter 3 - TRANSPORTATION ELEMENT**

### **GOALS AND OBJECTIVES**

#### *GOALS*

- \*Maintain a functional road and street system for the safe, convenient and efficient movement of people, goods and services in a manner which promotes rational land development patterns.
- \*Consider the traffic impacts on local residential streets when reviewing proposals for new development in the vicinity which will affect the level of safety and traffic volumes on local neighborhood streets.
- \*Examine and attempt to improve parking availability.

#### *OBJECTIVES*

- \*Provide a balance of transportation facilities meeting the needs of Cecilton.
- \*Coordinate various modes of transportation so that they complement each other.
- \*Improve pedestrian and bicycle opportunities in the Town.
- \*Provide an adequate transportation network with minimal Town expense.
- \*Coordinate Town, County, State and Federal efforts in providing an efficient transportation system.
- \*Maximize the desired use of transportation systems while minimizing possible effects upon neighborhoods, the environment and the general public.

## **BACKGROUND**

The movement of people and goods is an important concern in any community's growth plan. To provide a safe and efficient transportation network with minimal disruption of the area can sometimes be difficult to achieve. The Plan's Transportation Element must be closely coordinated with other elements of the Plan to assure that transportation plans and policies complement and promote those of other sections.

Too often, transportation planning begins in a reaction to a problem. The Comprehensive Plan and the Planning act of 1992 suggest that a proactive approach to mobility issues is needed. Cecil County and its municipalities need to plan in a manner that defines a coordinated, evolutionary approach towards achieving less reliance on driving alone, in order to enhance the choice, mobility and quality of life for all citizens.

Cecilton is conveniently located at the intersection of two state highways, MD 213 and MD 282. US 40 is to the north and runs east and west while US 301 is located south of Cecilton and runs north and south. 213 is a main corridor coming from the northeast corner of Maryland to the southeastern shore and accommodates many travelers coming from Pennsylvania, Delaware and New Jersey to the various rivers and summer homes in the area.

The Town owns and maintains Center Street, Douglas Lane, Church Street, Wilson Street, Rickards Street and Water Street. All roads are paved and well maintained by the Town. Additional sidewalks are a possible subject for future study as well as extending Center and Rickards Streets to MD 213.

Current traffic volume in the Town is overwhelming on MD 213 with truck traffic and speeding a major concern. The County and State provide some traffic control. If the State considers dualization of MD 213 to address this issue, the Town would like the State to consider a boulevard approach (see Map 3) to ensure that proper access and a logical extension of Cecilton's grid street system is maintained. In addition, the Town would recommend that they participate in any plans for dualization with the State and County to ensure the Town's perspective, thoughts and ideas are fully represented in the planning process. If dualization occurs resulting in the development of a boulevard or bypass, the Town would recommend that any new intersections created surrounding the Town have limited commercial development potential. Zoning at these intersections should prohibit such development to protect economic viability of Cecilton's commercial business district.

Public transportation for the aging is available through the Cecil County Department of Aging. They provide curb-to-curb public transportation service to and from Elkton by request. There is a small incremental mileage charge.



## **FUNCTIONAL CLASSIFICATION**

The foundation of a long-range street improvement program is a system of classification of the function or level of service the street and highways are designed to serve. The functional classification system allows for the logical coordination of the use of State and local streets and highways in and around Cecilton. Functional classification categories as represented in Cecilton include: 1) Arterial Highways, 2) Collector Streets, and 3) Local Streets.

### **1) Arterial Highways**

The highest level of highway service provided to the Town is the arterial system. The primary purpose of all arterial highways is to provide continuous and efficient routes for movement of high volume traffic between towns or major traffic generators particularly that of an intra-state or inter-state nature. Direct access to adjoining land should not be provided except at certain key points. Arterial highways are designed to maintain homogenous neighborhoods and to serve as boundaries between various neighborhoods. On street parking shall be prohibited on all arterials. MD 213 is classified as a minor arterial.

### **2) Collector Streets**

Both minor and major collectors serve a similar function though varying in volume and intensity of use. The primary purpose of the collector system is to collect traffic from local residential streets and provide for the direct movement of traffic to commercial and industrial areas and the arterial highways.

-Major collectors connect areas of relatively dense settlement with each other and with other major traffic routes. These streets are intended for inter-neighborhood and through traffic. MD 282 is classified as a major collector.

-Minor collectors are streets, which, in addition to serving abutting properties, intercept minor streets, connect with community facilities and are intended primarily to serve neighborhood traffic.

### **3) Local Streets**

The most extensive part of the street network in Cecilton consists of local streets, including cul-de-sacs, and is intended primarily to provide access to abutting residential property and are designed to discourage use of through traffic. Such streets assume light traffic flow.

## **TRANSPORTATION POLICIES**

The Cecilton Transportation Plan is shown on Map 3, the Growth Plan. In addition to the conceptual improvements shown on Map 3, the following policies are recommended for the Town:

1. The Town shall promote alternatives to driving alone and encourage the County and State to inform citizens of the public and private monetary and environmental costs of continued dependence on autos.
2. The Town shall support bicyclists and pedestrians by providing safe, convenient, and inviting routes and walkways between activity centers.
3. In Town Center, priority shall be given to building pedestrian friendly streets. A pedestrian orientation will create a Town environment where people will want to get out of their vehicles and onto the sidewalks and bike routes. This, along with appropriate zoning and other Town efforts, will encourage development and redevelopment.
4. The Town endorses the Level of Service standards established by the County.
5. The Town shall accommodate the safe and efficient movement of goods and people, acknowledging the importance of both functions to the long-term economic vitality and livability.
6. The Town shall establish street design standards for new development that will contribute to reaching the transportation and land use goals of the area, provide safe and efficient mobility for all people, and contribute to the quality of life and civic identity in the area.
7. New collector and local streets shall be built by developers according to their approved site plan and shall follow Cecil County Department of Public Works Road Codes and Standard Specifications.
8. The Town shall require that the layout of the new street connections in undeveloped areas assure connectivity to the overall Town grid street system.
9. All developments shall have adequate access and circulation for public service vehicles, i.e., ambulances, fire and rescue vehicles, but actual paved street sections should also be as narrow as possible to maintain the neighborhood scale.
10. The Town shall work with the State and County to coordinate the land use and transportation elements of the Comprehensive Plan with adjacent jurisdictions in order to achieve the reduction in drive alone areas.

## **TRANSPORTATION RECOMMENDATIONS**

### *Short-term Recommendations:*

\*The Town should continue to examine alternative, safer pedestrian routes to and from Cecilton Elementary School.

\*A bicycle link from MD 282 to MD 213 by way of Cecilton Park should be considered.

\*To improve traffic flow, the Town may consider extending Center Street to Douglas Lane to form a connection to MD 213.

\*The Town should consider strategies to provide vehicular and/or pedestrian access to interior Town lots currently lacking access to MD 213 or MD 282. Any such improvements should follow the goal to continue the traditional grid street system.

\*Cecilton should work with the State and County to promote a greenway system to encourage opportunities for recreation that link up with other proposed or existing greenways throughout Maryland.

\*Recommendations to improve the Town's parking issues should be examined. Regarding the lack of parking, the Town may consider establishing an alley system to create parking opportunities away from main arterials.

\*To deter excessive traffic speed along MD 213, the Town should consider implementing traffic calming devices at the north and south bound entrances to the Town. Such traffic calming devices include community signage, extension of the sidewalk system, a dedicated bike path, and strategic landscaping. These devices together or separately can help in reducing traffic speed through the Town.

### *Long-term Recommendations:*

\*If dualization of MD Route 213 occurs, the Town recommends that a boulevard concept be considered that ensures connections with the Town's current street pattern and is compatible with the pattern and intensity of growth planned for in the designated growth area. (See Map 3)

\*As new development occurs in the Growth Areas, the Town should require the developments to integrate the "Boulevard Concept" into their design as shown on Map 3. (Consider typical cross-section for boulevard-see attached.)

\*The Town should consider pedestrian and bicycle transportation options with the development of a greenway that will connect neighborhoods and recreational facilities. A

greenway recommendation is also included in the community facilities chapter of this plan. Greenways will serve the community as an alternative to the automobile for local transportation. In addition, greenways connect people to places, including historically significant buildings, town center, and to recreational centers. The Town should also seek to improve sidewalks and establish other transportation networks.

- Bike riders need to be encouraged with good bike routes and bike racks and pedestrians need to be encouraged with streets, homes and businesses built in a way that makes walking inviting. The network of pedestrian trails and greenways, shown on the plan specifically for the use of pedestrians and bicyclists, should be implemented. This will allow people to travel safely throughout the Town and adjoining areas without relying on the automobile.

- Existing roads, together with bikeways can serve as the system to provide bicyclists travel needs, including recreation and commuter biking. Planning for bicycles should be conducted in conjunction with planning for other transportation modes.

- A bikeway is any road, path or way which is designed to be open to bicycle travel needs, regardless of whether it is for the exclusive use of bicycles or shared with other modes of transportation. A bike path is physically separated from motorized vehicular traffic by an open space or barrier either within the highway right-of-way or within an independent right-of-way. A bicycle lane is a portion of a roadway, which has been designated for preferential use by bicycles and a bicycle route is designated for bicycles only by signage.

- In making Cecilton's roadways compatible for cyclists the Town shall follow Maryland State Highway Administration design guidelines for on-road bicycle facilities. It is also important that the Town work with the State and County while preparing connections from developments to the Town Center and to the Town's recreational facilities.

## **Chapter 4 - COMMUNITY FACILITIES ELEMENT**

### **GOALS AND OBJECTIVES**

#### *GOALS*

- \*Provide an appropriate array of community facilities and services required to maintain the health, safety and welfare of the residents of Cecilton.
- \*Provide adequate parks, recreation and open space and opportunities equitably distributed throughout the Town for existing and future Town residents.
- \*Comply with House Bill 1141 in consulting with County leaders when preparing their growth and water plan elements and also encourage the establishment of a joint planning agreement between the two.

#### *OBJECTIVES*

- \*Assure the continued expansion of public facilities and services commensurate with local financial capabilities.
- \*Assure the provision of community services and facilities to all living and working areas of the Town in a manner which is the least disruptive to the environmental qualities of the area.
- \*Certify that all existing, newly developed and annexed areas of the Town are afforded adequate public services necessary to promote public health, safety and welfare.
- \*Examine the pattern and direction of future growth and possible annexation and impacts on community facilities systems.
- \*Encourage use of public lands and buildings for a variety of public purposes.

The adequacy and capacity of public services and facilities are important to the improvement of the quality of life for citizens of Cecilton. Services, schools, recreation, and other amenities are vital to a residential community. It is the purpose of this Element to evaluate the capacity of existing public facilities in order to determine if current needs are being met and if future growth can be properly served.

## **EXISTING CONDITIONS**

### **Water**

In 1969, the water system was completed to provide 26,000 gallons per day to 650 people. As of 2005, the system serves a population of approximately 525 with an estimated daily average demand of 0.046 mgd. The system draws from the Magothy aquifer through two wells approximately 300 feet deep. The capacity of the existing plant is 0.10 mgd. Cecilton has a 125,000 gallon elevated storage tank. As of March 2006, the Town is in the process of upgrading its' water system. Two new production wells, approximately 280 feet deep, have been installed which also draw from the Magothy aquifer. A 400,000-gallon water storage tank has also been constructed. The water plant is currently under construction and is to be completed by the end of 2006.

### **Sewer**

The municipal sewer system includes a waste stabilization lagoon with three sand filters, with gaseous chlorine disinfection and stream discharge into Black Duck Creek. The wastewater treatment plant is currently permitted for 0.050 mgd with average flows of 0.066 mgd. The flow over the permit is due to excessive infiltration and inflow (I/I) into the Town's aging collection and conveyance system. The Town is seeking state funding to address the I & I problem. As of March 2006, the Town is currently in the process of designing upgrades to the wastewater treatment plant to increase capacity from 0.050 mgd to 0.100 mgd utilizing Sequence Batch reactors (SBR's) with continued stream discharge into Black Duck Creek.

### **Fire and Police Protection**

Cecilton has one of the nine volunteer fire companies in Cecil County. Firefighting equipment is maintained in good condition and equipment is upgraded, as funds are available. Local volunteers and Cecil County Emergency Services provide ambulance service. Police service is currently through the Maryland State Police and the Cecil County Sheriff's Department but as Cecilton continues to grow the Town has begun to investigate and start planning the necessity for its own police force.

## **Schools**

Cecilton's educational facilities consist of Cecilton Elementary School and an MRDC Headstart Program at the Town's Annex property. Students in grades 6-12 attend Bohemia Manor Junior-Senior High School.

Cecilton Elementary, which originally served as Cecilton's High School, is located on MD Rt. 282 on an eight-acre site. The "Annex" which is now known as the Southern Cecil County Community Center is one mile away on MD Rt. 213. The Headstart Program is income based and is for pre-k children ages 3 and 4. The Elementary School was built in 1939 and had one addition in 1950. Another addition was added in 1999 plus it was refurbished and remodeled to improve function and interior appearance. According to the Educational Facilities Master Plan adopted by the Board of Education on July 24, 2006, the school had a 2005 fall enrollment of 337. Projected enrollment over the next five years is expected to decline slightly and then begin to slowly rise with a projection of 343 students in 2017.

## **Library Services**

The Cecilton Community Library is funded by the Town, County, and Friends of the Library. Library services were expanded when a new building was put into operation in 1990. The Library offers books, reading materials, records, videotapes, and CD's to patrons on a loan basis. Internet access is also available. The Library building is also used by community organizations as a meeting facility. The Cecilton branch has the fastest growing membership in the County.

## **Refuse Collection**

Refuse collection in Cecilton is once a week. Residents pay \$100 a year for this service payable through real property taxes. Developing and implementing a recycling program is a Town goal. A recycling program could perhaps be led by a civic organization and supported by Town government.

## **Parks and Recreation**

In June of 1996, the Mayor and Council of the Town of Cecilton acquired 18.6 acres of land adjacent to the existing Cecilton Park (funded by Program Open Space) for the purpose of expanding our current park and increasing outdoor recreational opportunities. A Master Park Plan has been developed and its implementation is ongoing.

Facilities currently located at the Park include four ball fields, a pavilion, two tennis courts, a volleyball court, and a horseshoe pit. Two basketball courts are being constructed at this writing. The facilities still planned for Cecilton Park include a multipurpose field and a t-ball field (these will be redesigned from the two existing older baseball fields), a tot lot and playground, walking



and fitness trails, and a nature walk with a habitat center. A small skateboard area has been suggested as an addition to the Master Plan. The Cecilton Community Library is also located within Cecilton Park, which continues to serve as the central recreational facility in southern Cecil County.

### **Health Services**

There is an excellent medical center in the Town of Cecilton with two doctors, a dentist and a rehabilitation facility. A podiatrist and another dentist is also located within the Town limits. The nearest hospitals are located in Elkton and Chestertown.

### **Community and Meeting Centers**

Senior citizens meet once a week, civic organizations meet monthly and clubs for children meet regularly within the Town. Cecilton is planning a community center for the future. Currently meetings are taking place at the local churches, the library, Town Hall and the Annex building.

## **COMMUNITY FACILITIES GOALS**

### **Water & Sewer Systems**

The Town shall continue with its upgrades to both systems and proceed with recommendations from their engineers to alleviate inflow and infiltration problems.

### **Police Protection**

Cecilton shall continue its feasibility studies on hiring its own police protection.

### **Schools**

The Town shall consult and work closely with Cecil County and the State regarding any annexation and how it would impact our school systems.

### **Health Services**

As the nearest hospitals are over 20 miles away, the Town would like to see our medical facility expand its hours or possibly open an emergency facility.

### **Community & Meeting Centers**

Cecilton shall continue its efforts to replace the existing Annex building and erect a new structure that could house the Head Start program, county offices and a community/meeting center.

### **Greenways/Greenbelts**

It is recommended that Cecilton work with the County to establish a greenways development program. The transportation plan map depicts several areas along on the perimeter of the growth

area that could represent a Cecilton greenway. Working with the County, the Town should develop this greenway plan in the context of the County's overall greenway strategy.

Greenways provide a place to walk, jog and bike and also is a means for residents to go between neighborhoods, travel to school, and reach recreation areas. An important factor in the Cecilton greenway system should be its ability to connect residents and visitors to the Town Center.

Greenway development offers the opportunity to achieve multiple plan objectives:

- alternative means of travel,
- open space,
- recreation,
- a visual edge to the community,
- environmental protection, and
- tourism/economic development.

Greenways act as a major component of heritage tourism, providing the linkage between the physical and cultural features of a particular area and adjacent heritage areas.

## **SUMMARY-CHAPTER 4-COMMUNITY FACILITIES**

### **Requirements and Recommendations**

- Adequate public facilities are essential to the future growth and development of Cecilton.
- Annexation is a prerequisite before granting the extension of Town water and sewer service facilities to areas outside the Town's incorporated boundaries.
- New development will be required to pay for extensions of water and sewer systems and a fair share of the cost for capital investments in other community facilities.
- The Town shall require appropriate environmental review in the development approval process to protect the existing ground water (drinking water) resource.
- The Town shall require stormwater management practices, which utilize surface and on-site drainage treatments as opposed to underground drainage piping.
- The Town shall manage the cost of future development and annexation so as not to adversely impact the economy and finances of the Town and its existing residents.
- The Town shall seek County and State support to implement the Master Park Plan.

## **Chapter 5 - SENSITIVE AREAS ELEMENT**

### **GOALS AND OBJECTIVES**

#### *GOALS*

- \*Direct intensive activities away from natural area corridors.
- \*Respect the significant natural environment of the Cecilton area.
- \*Preserve and protect the important natural features of the Town including streams, wooded areas, wildlife habitats, and other sensitive natural areas.
- \*Preserve environmentally sensitive areas along the Town's waterways.
- \*Establish specific development policies for reviewing all development activities within natural corridors, and with respect to impact upon and protection of ground water.
- \*Preserve natural and man-made drainageways and provide public access points for maintenance purposes.
- \*Encourage preservation and restoration of properties, structures and places in Cecilton, which are historically and architecturally significant.

#### *OBJECTIVES*

- \*Assess future development proposals in light of the site's physical suitability to accommodate development while protecting natural resources, historic features and the quality of the Town's groundwater.
- \*Provide specific protection measures for the following areas: 1) Streams and stream buffers, 2) 100-year floodplain, 3) endangered species habitats, and 4) steep slopes.
- \*Identify wetlands and flood plains in order to provide the special protection they may need.
- \*Preserve and protect fragile groundwater resources within the Town.
- \*Identify historic sites and maintain the integrity of these areas of the Town.

## **BACKGROUND**

The Town of Cecilton cherishes its rural character and clean environment with vast surrounding land areas in either large farm operations or undisturbed natural states. The area teems with fish and wildlife and serves as the foundation for an enjoyable rural lifestyle. These irreplaceable natural assets are most important to the health and well being of the Town and to humanity as a whole. Human settlements built across these landscapes will disturb and alter this fragile natural environment. The Town desires that future building development be conceived and designed in ways that recognize sensitive natural features and support systems and provide measures to protect and minimize disturbance and damage to these important natural areas.

Sensitive natural features and systems of particular interest to the Town include:

- Wetlands
- Woodlands and native vegetation
- Threatened and endangered wildlife habitats
- Surface and groundwater systems
- Floodplains (see section titled Floodplains)
- Open space
- Highly erodible and permeable soils

(See Map 4 for the general location of many of the sensitive areas listed above)

The Town will require that major subdivision and development proposals incorporate design measures, which will identify and reduce, to the extent practical, impacts on sensitive natural features. The clustering of development on a portion of the development site and reserving the remainder of the site in open space serves to reduce the amount of infrastructure and its associated impacts and allows sensitive natural areas to be placed in much less disturbed open space areas. To the extent practical, wetlands, woodlands, and other sensitive natural areas will remain in open space areas. Building and clearing activities in floodplains, wetlands, steep slopes and highly erodible soils will be avoided, wherever possible. Stormwater runoff from impervious surfaces will be properly managed. Sediment and erosion control during and after construction will be practiced. Maintaining and enhancing wildlife corridors and habitat will be encouraged.

### **Mineral Resources**

The Town recognizes that while a Mineral Resources Element is required under Article 66B, there is no mining activity nor any known mineral resources within the Town's corporate limits.

## **SENSITIVE AREAS RECOMMENDATIONS**

In addition to the following recommendations, the Implementation Element of the Plan outlines some specific recommendations to protect sensitive areas.

### **Tree Preservation and Forest Conservation**

To preserve the Town's forested areas, developed woodlands, and street trees, the Town should develop an Urban Forestry Plan and explore the possibility of developing and implementing tree preservation requirements as part of the Zoning Ordinance.

Maryland Forest Conservation Law requires that clearing of forest be regulated as of December 1992 to insure that certain forest conservation measures are implemented. Cecilton has adopted and adheres to the Cecil County Forest Conservation Regulations that are consistent with the requirements of the Law. These requirements will apply to subdivision plans or application for a grading and sediment control permits on areas 40,000 square feet or greater.

### **Floodplains**

Currently, Cecilton is not located in a floodplain. However, if through annexation the Town acquires land in a floodplain it should prepare and adopt a Floodplain Management Ordinance consistent with Federal requirements. Additionally, the Town, as part of that Floodplain Management Ordinance, should prohibit new development, new platted lots and substantial improvements to existing structures in the 100-year floodplain.

The Flood Hazard Boundary Maps developed by the Federal Insurance Administration (FIA) would determine the floodplain areas in Cecilton. A more detailed map, the Flood Insurance Rate Map, would be prepared by the FIA and the Maryland Department of Natural Resources, and would show flood elevations and outline risk zones for insurance purposes.

Upon receipt of the Rate Map, the town would be eligible to participate in the regular phase of the National Flood Insurance Program. Among other benefits, this program enables property owners to purchase flood insurance covering nearly any type of building and its contents. In order to participate in the Program, the Town must adopt and enforce flood plain management measures aimed at reducing future flood losses.

These measures would, in accordance with HUD standards, require that all new construction and substantial improvements to existing structures in flood-prone areas be elevated or flood-proofed to the level of the 100-year flood.

1. Upon receipt of the Rate Maps, the Town should prepare and adopt a flood plain management ordinance to protect the health and property of affected residents and enable

them to purchase flood insurance.

2. The Town land development regulations and policies regarding flood plains should be consistent with applicable federal and state regulations.
3. As an alternative, the Town should be included under the County Floodplain Ordinance and enforcement program.

### **Steep Slopes**

There should be no structures or impervious surfaces placed on slopes greater than 25 percent nor should grading or clearing be permitted on steep slopes. Growth and development should be generally prohibited on slopes between 15 and 25 percent, unless it can be demonstrated that the stability of the slope will be improved and that adverse environmental impacts will be mitigated. In the case that development does occur on slopes between 15 and 25 percent, good engineering practices coupled with conservation practices such as the protection of existing vegetation, should be used for sediment and erosion control during construction, and slopes should be stabilized as soon after disturbance as possible.

### **Threatened and Endangered Species Habitat**

To ensure the protection and continued existence of endangered species within the Town's jurisdiction, Zoning Ordinance and Subdivision Regulations should include the following protective measures.

1. Require that anyone proposing development activities must address protection of state and federally designated endangered species. The developer must determine through contact with the Town and the Maryland Forest, Wildlife and Heritage Service (MFWHS) whether proposed activities will occur within or adjacent to identified endangered species habitat and whether the activities will affect the area.
2. If it is established that an activity will occur within or adjacent to an endangered species habitat, the Town should require that the developer provide protection measures in the project design. A written environmental assessment including site design plans and a description of measures to be taken to protect the endangered species should be submitted to the Town as part of the development review process. The developer must work with the Maryland Wildlife and Heritage Division in establishing species/site-specific protection measures. Protection measures may include:

Designation of protection areas around the essential habitat of the designated species. Development activities or other disturbances shall be prohibited in the protection area, unless it can be shown that these activities or disturbances will not have or cause adverse impact on the habitat. The protection area designation will be made with input from the MFWHS.

Implementation of design strategies that work to protect the species and essential habitat. These strategies should include (but are not limited to) restrictions on placement of structures, use of cluster design, establishment of undisturbed open space areas, restrictive covenants, and restrictions on noise levels and timing of construction activities.

## **HISTORIC FEATURES**

History can be kept alive through education and preservation, both of which can take many forms and vary in intensity. Old homes can be restored to be comfortable homes of today or they could be refurbished as offices or even apartments. Historic sites can honor the past while providing a place for leisure activities. An old church can still hold worship services similar to those held one hundred years ago. A number of programs exist to help individuals and groups temporarily or permanently protect sites and structures considered significant. The past is a building block for the future and, if a plan is to be comprehensive, it must incorporate that past as a key element of planning for the future.

Historic preservation is a program, which involves the inventorying, researching, restoration, and ongoing protection of sites and structures having a significant local or national historic interest. Continued historic and cultural resource preservation and enhancement through sensitive land use planning and other administrative means would provide Cecilton with a number of benefits including:

- Promotion of a strong sense of community pride for Town residents;
- Community revitalization through the renovation or adaptive reuse of older structures;
- Increased property values and tax revenues as a result of renovation and restoration; and
- Increased revenues generated from tourism.

There are a number of structures and sites within the Town that have historic, cultural, or architectural significance. These structures, given proper concern and recognition, have



tremendous potential to serve as physical reminders of the history and heritage of our past.

In recent years, there has been considerable public concern that the vestiges of our heritage will be irretrievably lost. It has been found that an active historic and architectural preservation program could have beneficial social, economic and aesthetic impacts on the area. Therefore, rather than permit demolition, destruction, or abandonment of our rich heritage, an active historic preservation program is recommended. Such a program should permit the continued use of the identified sites and structures while simultaneously discouraging inappropriate exterior alterations. The development of a Historic Preservation Program for the Town should be the result of a cooperative effort between the public and private sectors of the community.

## **HISTORIC FEATURES RECOMMENDATIONS**

The following programs and strategies are designed to facilitate achieving this Plan's goal of preserving and enhancing the Town's rich cultural and historic heritage.

### **Protection and Preservation Programs**

A number of existing programs provide assistance in protection or preservation, offer tax benefits, provide professional historical/architectural consulting, and so forth. More detailed information on programs including the National Historic Landmark, National Register of Historic Places, Conservation and Preservation Easements, and Historic Overlay Districts can be found from various historic preservation organizations such as the Maryland Historical Trust.

#### **National Register of Historic Places**

In 1966, Congress established the National Register of Historic Places as the Federal Government's official list of properties, including districts, significant in American history and culture. In Maryland, the Register is administered by the Maryland Historical Trust. Some benefits resulting from a listing in the National Register include the following:

- National recognition of the value of historic properties individually and collectively to the Nation.
- Eligibility for Federal tax incentives and other preservation assistance.
- Eligibility for a Maryland income tax benefit for the approved rehabilitation of owner-occupied residential buildings.
- Consideration in the planning for federally and state assisted projects.

Listing does not interfere with a private property owner's right to alter, manage or dispose of property.

### Maryland Historical Trust

The Maryland Historical Trust (MHT) surveys historic buildings, structures and archaeological sites to determine eligibility of being listed on the state register. As with being on the National Register of Historic Places, listing does not limit or regulate the property owner in what can or cannot be done with the property. In order to be considered for listing on the National Register or having an easement on the property to be accepted by the MHT, the site usually must first be listed on the Maryland Register of Historic Properties.

### Maryland Historic Preservation Easement

A state-held historic preservation easement monitored by the MHT is an excellent means of perpetually preserving a historical structure and property for future generations. Regulations state that easements may be assignable to other parties or run with the land. The benefits for a property owner to donate his land to the MHT include income, estate, inheritance, gift and property tax benefits. In exchange, the owner gives the MHT the final word regarding proposed alterations. However, for properties whose fair market value is largely based on the value of development rights, this method of preservation may not be the most financially expedient for the property owner or for the MHT.

### Local Historic Overlay Zone

A third, but separate, type of designation is the locally-zoned historic district, which is an overlay on the existing zoning ordinance of a specified area. This district, legally allowed by Section 8.01 of Article 66B in the Annotated Code of Maryland is designed in order to: maintain the visual character of the community; safeguard the heritage by preserving the Districts that reflect elements of its cultural, social, economic, political or architectural history; stabilize or improve property values in such a District; foster civic beauty; strengthen the local economy; and use and preserve Historic Districts for the education, welfare and pleasure of the residents of the county or municipal corporation.

It may allow an appointed Commission to monitor changes, alterations and demolition of buildings and structures of architectural or historic significance.

### Adaptive Re-Use

The Town should adopt zoning provisions that promote the adaptive reuse of historic structures for public and private uses including, but not limited to, bed and breakfast establishments, craft/gift shops, museums, and studio space for artisans, when such uses minimize exterior structural alteration.

## Support Owners

The Town should encourage, through the use of various incentives, the preservation of historic structures. Include tax incentives for major structural or exterior renovation or the donation of protective historic easements.

## Local Historic Districts

The Town may, through the use of various incentives, encourage the establishment of local historic districts in the Town. Incentives may include tax incentives and recognition through the awarding of plaques.

## Development Proposal Review

The Zoning Ordinance and Subdivision Regulations for the Town should require developers to identify cemeteries/burial grounds/archaeological sites/historical structures on a property prior to any disturbance of the site and support archaeological and historical research through preservation of significant sites.

## **MD Heritage Preservation and Tourism Areas Program**

*The National Coalition for Heritage Areas* defines a Heritage Areas as an area that celebrates the special character and culture of places. It further defines a Heritage Area as a place that usually exhibits: a strong sense of place and identity; large scale natural or historical resources that unify or link the region; a working landscape, home to many active uses; many property owners; interpretive programs for residents and visitors; regional, state, even national significance; a strong sense of vision and goals; and a greatly improved community pride.

Nation-wide studies have determined that cultural landscapes and regions with special natural and historic qualities are among the most important attractions to tourists (Lower Susquehanna Heritage Greenway Resource Report, 1994).

Recognizing the potential benefits of “heritage tourism,” the Maryland Legislature passed House Bill 1, entitled “Heritage Preservation and Tourism Areas,” in April 1996. Among other things this legislation authorizes grant and loan funds for planning, design, development, preservation, restoration, interpretation, marketing, and programming of certified heritage areas. In addition, the legislation expands the local jurisdiction’s authorized income tax credits for qualified rehabilitation of properties included in the boundaries of a certified Heritage Area. These Heritage Areas are identifiable and significant landscapes that are the focus of cooperative public and private efforts to recognize, organize, and communicate a community’s natural, cultural, recreational, and economic attributes to stimulate the local economy and improve the quality of life. Heritage Area designation has many tangible benefits, some of which include:

- *Increased visitor spending.* Heritage tourism projects often attract more visitors, with higher incomes, for longer trips, making more repeat visits.
- *Shared resources.* Heritage tourism projects increase the amount of funds available to accomplish projects. They increase a community's ability to compete more effectively for outside money.
- *Diversity of tourism opportunities.* Heritage tourism offers alternatives to "single-attraction" tourism, instead focusing on a composite of historical and natural features in a defined geographic landscape. This allows Cecilton and its surrounding communities to preserve their social character and environmental resources while promoting a sustainable economy.

Cecilton and its surrounding communities and landscapes are a reflection of the characteristics found in a Heritage Area. Since the State of Maryland is promoting heritage tourism as a sustainable economic development alternative, Cecilton should partner with surrounding communities to develop a regional heritage tourism program and seek state designation as a "Heritage Preservation and Tourism Area".

## **Chapter 6 - HOUSING ELEMENT**

### **GOALS AND OBJECTIVES**

#### *GOALS*

- \*Provide a variety of housing types within the Town's land use controls.
- \*Encourage the use of innovative programs to provide a suitable mix of housing types in affordable price ranges.
- \*Insure high standards of quality in new construction, but with sensitivity to housing affordability.
- \*Encourage, through both private and public actions, the renovation or removal of substandard housing.
- \*Encourage, through both private and public actions, an opportunity for families to live in adequate homes in price ranges that are affordable.

#### *OBJECTIVES*

- \*Encourage continued maintenance and upkeep of existing housing and stimulate the replacement of housing that becomes unfit for human habitation.
- \*Protect residential zones from incompatible activities and land uses to create comfortable and safe living environments.
- \*Provide a balanced housing stock with housing opportunities for all Town residents.
- \*Improve housing conditions for all the Town's residents, especially the disadvantaged population.
- \*Require site plan and planning review for all major developments to ensure a functional design, quality living environment, and compatibility with overall town character. Conditions, exactions and dedications may be required by the Planning Commission so that the development serves the public interests as fairly and fully as possible, consistent with the Comprehensive Plan.
- \*Ensure that multi-family residential development provides adequate community open space, landscaping and parking. Minimum parcel size for multi-family development should be of sufficient size to accommodate this use.
- \*Encourage cluster residential development in newly annexed areas.

## **BACKGROUND**

The quality of Cecilton's neighborhoods is determined by the cumulative impact of the Town's housing supply and living environment. Since major community goals are to improve the quality of life and to promote the availability and affordability of decent, safe, and sanitary housing for all Town residents, housing ranks as an important local concern. Important factors to be considered in forming Town policy toward the public function of housing in the Comprehensive Plan are:

- Housing is a durable, physical product in a neighborhood setting.
- Housing is a major user of the Town's land.
- Housing is a generator of local public facilities and services.
- Housing is the object of local real estate taxes.
- Housing is a major influence on the Town's physical and social environment.
- Housing is an essential requirement for continued economic development.
- Housing construction is a major source of employment.
- Housing is a major investment or expenditure for individual families.
- Housing is a major investment for the private financial community.
- Housing is a major ingredient in family satisfaction or dissatisfaction in a community's sense of well-being.

Many new single-family houses have been erected in Town within the last several years. Areas within the Town still exist for future residential development. Several owners of properties within the Town limits have expressed interest in developing their land and annexation has also been discussed. Both of these suggest substantial growth. Such development should be compatible with adjacent property uses. Demand for apartment rental could cause difficulties if not properly controlled and maintained.

## **HOUSING PROGRAMS**

As federal housing and other related programs have disappeared, cities and counties have sought to aid the would-be homeowner. Maryland mounted an ambitious housing program in 1986 in response to federal cutbacks. Most of the state housing programs are administered by the State of Maryland's Community Development Administration which offers a variety of housing programs that fall under the general categories of home ownership, rental housing, special loans and housing subsidy programs. The current programs are briefly described below:

### **Home Ownership Programs**

Maryland Mortgage Program (MMP) - The purpose of the MMP is to enable low and moderate-income households to purchase homes by providing below-market interest rate mortgage financing through private lending institutions. The MMP, which targets first-time

homebuyers, is available to individuals and households with incomes at or below 85 percent of the State median income.

Maryland Home Financing Program - Home Purchase (MNFP- PIRL) - The purpose of MNFP is to provide low-interest rate mortgages for lower-income households. The MNFP, which targets first-time homebuyers, is available to individuals and households with incomes at or below 55 percent of the State median income.

Maryland Home Financing Program - Reverse Equity (MHFP-REMP) - The purpose of the MHFP-REMP is to enable elderly families of limited income to access part of their accumulated equity in order to pay for housing and other personal expenses to continue to occupy their home. For eligible applicants and properties, the Community Development Administration (CDA) will establish a line of credit up to a program maximum of \$50,000 from which funds may be requested on a monthly basis. No repayment of loans is required until the death of the last surviving borrower, after the borrower voluntarily moves out, or after the sale or transfer of the property.

Settlement Expenses Loan Program (SELP) - SELP provides financial assistance in the form of low interest loans to pay settlement expenses.

### **Rental Housing Programs**

Multi-Family Bond Program (MBP) - This program is designed to increase the construction and rehabilitation of multi-family rental housing for families with limited incomes. Tax-exempt bonds and notes provide below-market rate construction and permanent financing to profit and nonprofit developers. A certain percentage of units in the project must be made available to low-income persons and households.

Rental Housing Production Program (RHPP) - The purpose of the RHPP is to increase the supply of rental housing for low-income families by providing below-market rate and deferred payment loans to developers. The program is designed to be used in conjunction with tax-exempt, private, local and federal loans.

Elderly Rental Housing Program (ERHP) - The purpose of the ERHP is to increase the supply of rental housing for low-income elderly households by providing below-market rate and deferred payment loans to developers. The program is designed to be used in conjunction with tax-exempt, private, local and federal loans.

Nonprofit Rehabilitation Program (NRP) - The purpose of the NRP is to provide low-interest mortgage loans to nonprofit organizations and local governments to rehabilitate housing for low-income households.

Partnership Rental Housing Program (PRHP) - The PRHP is intended to expand the supply of



affordable housing for poor families through State and local government partnerships. Eligible projects include new construction and acquisition or rehabilitation of rental housing.

Maryland Housing Rehabilitation Program - Multi-Family (MHRP-MF) - The purpose of the Multi-Family Program is to provide loans to assist owners in bringing their multi-family units up to applicable building codes and standards.

Multi-family Home and Energy Loan Program (HELP-MF) - The purpose of the HELP is to finance rehabilitation and energy conservation of existing multi-family properties using the proceeds of tax-exempt bonds.

Construction Loan Program (CLP) - The CLP provides low-interest, construction financing loans to nonprofit and local governments to acquire, rehabilitate, or construct certain types of housing and for bridge loans to profit motivated developers.

Transitional Housing and Emergency Shelter Program (THESP) - The THESP provides grants to improve or create transitional housing and emergency shelters for the purpose of reducing homelessness in the State.

### **Special Loan Programs**

Maryland Housing Rehabilitation Program - Single Family (MHRP SF) - The purpose of the program is to preserve and improve existing small residential properties by bringing the properties up to applicable codes and standards. In 1990 this program was merged with the Livability Code Rehabilitation Program.

Accessory, Shared and Sheltered Housing Program (ACCESS) - The purpose of ACCESS is to expand low cost housing opportunities for low-income households and low-income elderly, handicapped or disabled persons by financing the creation of accessory, shared, and sheltered housing facilities.

Indoor Plumbing Program (IPP) - The purpose of the IPP is to provide indoor plumbing in residential properties. Loans are made to income eligible households in owner-occupied single-family units.

Residential Lead Paint Abatement Program (RELAP) - Loans are provided through the RELAP to reduce instances of lead poisoning of children by financing the abatement of lead paint in residential buildings.

Group Home Financing Program (GHFP) - The purpose of this loan program is to assist individuals and nonprofit organizations to construct or acquire and modify existing housing to serve as group homes or temporary and emergency shelter for income-eligible persons and households with special housing needs.

Special Housing Opportunities Program (SHOP) - The purpose of SHOP is to assist non-profit organizations and local development agencies construct and acquire and modify existing housing to provide shelter and service individuals with special housing needs.

Special Targeted Area Rehabilitation Program (STAR) - The purpose of the STAR program is to preserve and improve single-family properties. STAR was designed to bring properties up to applicable building codes and standards or a minimum housing quality standard.

### **Housing Subsidy Programs**

Rental Allowance Program (RAP) - This program provides grants to local governments to provide flat rent subsidies to low-income families who are homeless or have emergency housing needs. The purpose of the program is to help these families to move from temporary housing to permanent housing and self-sufficiency.

Section 8 Existing Certificate/Voucher Program - A U.S. Department of Housing and Urban Development Program (HUD), Section 8 is a rental assistance program, which subsidizes the rent of low-income families through the use of federal grants. This program is administered through the Maryland Community Development Administration (CDA).

### **Low Income Housing Tax Credit Program**

The Federal Low-Income Housing Tax Credit, created by the Tax Reform Act of 1986 and extended by the Revenue Reconciliation Act of 1989, is designed to encourage private sector investment in the construction and rehabilitation of housing for low and moderate-income families. The law gives states annual tax credit allocations based on population. CDA is the agency, which allocates the state's tax credits on a competitive basis.

## **HOUSING CHAPTER RECOMMENDATIONS**

There are alternatives available to local governments for the provision of affordable housing. The extent to which these alternatives are used, either singularly or in combination, depends on the particular needs of the community. Each approach to providing affordable housing has varying degrees of success.

### **Accessory Apartments**

Accessory apartments are allowed, through the Town Zoning Ordinances, under certain conditions with adequate safeguards to protect the character of the existing residential neighborhoods. Both the homeowner and the community can benefit from the presence of

accessory apartments, if they are carefully managed. The most obvious public benefit of accessory apartments is that they offer a source of inexpensive housing units in the community with virtually no conversion of land use to produce them. Accessory apartments are affordable-cost housing units and can reduce the need for some new development.

The following guidelines shall be used to address some of the concerns about the impacts that single-family housing conversion to accessory apartments may have on the character of a neighborhood:

1.     **Require Owner Occupancy**—require that the owner of the home continue to reside in one of the units to ensure that the appearance of the structure will be maintained.
2.     **Restrict the Age of Homes to Be Converted**—These provisions will discourage builders from taking advantage of an accessory apartment provision as a backdoor route to two-family development and limit conversion to existing structures.
3.     **Provide for Parking and Traffic** — These provisions will mandate that the existing parking pattern not be altered and that off street parking be provided.
4.     **Guarding Against Visual Change in the Neighborhood**—These provisions will generally restrict the owner from making external alterations to the structure such as adding a second entrance on the front of the house.
5.     **Specifying Minimum Apartment Sizes**—These provisions should limit the size of the accessory apartment as it relates to the main unit to ensure that the accessory unit is clearly secondary. Minimum size of apartments will be designated in the Cecil County Housing Code ordinance.
6.     **Providing Opportunities to Control the Scale of Change**—These provisions allow conversions under a special exception rather than as a “by right” in any zone thereby allowing neighborhood residents a chance to respond.

### **Enforcement of Building and Housing Codes**

Building codes are designed to assure that new structures are of good quality, and housing codes are aimed at obtaining quality in existing housing. Both are worthwhile even though they necessitate the added burden of time and staff to enforce them. The Town of Cecilton currently acquiesces to Cecil County’s Building Codes and Housing Codes as adopted by the Cecil County Commissioners.

## **Chapter 7 - IMPLEMENTATION & SUMMARY OF PLAN**

Sections which follow identify methods to implement plan proposals. Implementation involves the concerted actions of both Town elected officials and certain appointed boards. The responsibilities of these parties and their respective roles in the implementation of the plan are summarized.

### **MAYOR AND COUNCIL**

The Mayor and Council are the final authority concerning decisions to revise and amend the Comprehensive Plan for Cecilton. They are also involved in implementing Plan proposals. As chief elected officials of the community, they are responsible for directing public concern into a public policy and addressing community needs through public action. The Plan is designed to assist the community in improving both the environmental atmosphere of the area and the quality of life for people. To accomplish these goals, the Mayor and Council will be primarily responsible for undertaking the following actions to make the Plan public policy.

- The Mayor and Council must, under Maryland law, review and adopt the amended Comprehensive Plan. This procedure is necessary for the community to maintain the foundation for Zoning and Subdivision regulatory controls and to serve as a basis for their continuing revision.
- The Mayor and Council must review specific Town policies, programs and improvement projects in accordance with the Comprehensive Plan. They will coordinate with the County government as well as various State and Federal agencies to alert them to the Town planning objectives.
- The Mayor and Council will provide advice, coordination and direction on development activities and proposed programs.

### **Recommendations**

- Officially adopt the revised and updated Cecilton Comprehensive Development Plan after appropriate review, discussion and public hearings.
- Subsequently review and amend, as needed, the Cecilton Zoning Ordinance and Subdivision Regulations to implement the land use policies of the Comprehensive Plan.
- Maintain appointments to the Town's Planning Commission, Board of Zoning Appeals, and any other committees, which may be required from time to time in plan related actions or activities.

## **PLANNING COMMISSION**

The Planning Commission appointed by the Mayor and Council is instrumental in directing the Comprehensive Planning efforts of the Town of Cecilton. One of the most significant roles for the Planning Commission in the Town development process is to serve as a coordinating body. The Maryland Planning and Zoning Enabling Act (Article 66B) provides the Planning Commission with broad authority to review, study and recommend solutions to various local development issues.

### **Recommendations**

- The Planning Commission should approve the updated Plan and recommend its adoption by the Mayor and Council. The Plan must conform to the basic elements required by State law.
- The Commission should promote public understanding of the Plan and what it seeks to accomplish and to incorporate citizen participation in the planning process.
- The Commission should recommend to the Mayor and Council programs for construction of public structures and improvements, which are necessary to implement the Plan.
- The Commission should prepare and file an Annual Report with the Mayor and Council. The report is the method through which the Planning Commission identifies changing conditions within the Town and brings these conditions to the attention of the Mayor and Council.
- The Planning Commission should seek training and continuing education from such agencies as the Maryland Department of Planning and the American Planning Association.

In addition to the duties generally identified by Article 66B, the Planning Commission is charged with a variety of specific administrative functions which are more directly related to day to day decisions which cumulatively effect implementation of the Plan. These functions include:

- Review and approval of all subdivision proposals consistent with the Comprehensive Plan, Zoning Ordinance and requirements and authority established by the Town Subdivision Regulations.
- Review, report and recommend to the Mayor and Council on all rezoning requests brought before the Town. The Commission reviews each proposal for consistency with the Town Comprehensive Plan as per standards for review contained in the Town Zoning Ordinance.

- Review and comment upon various requests for special exceptions and variances, which are ultimately decided by the Town Board of Appeals.
- Review and approve site plans and design sketches for substantial new development and redevelopment proposals.

## **BOARD OF APPEALS**

A Board of Appeals must be maintained and members appointed by the Mayor and Council of Cecilton in accordance with Article 66B. The Board of Appeals will have the following power and duties required per the Town Zoning Ordinances:

- Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the ordinance.
- Hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.
- Authorize upon appeal in specific cases a variance from the terms of the ordinance.

## **IMPLEMENTATION TOOLS**

Many of the recommendations for land use and sensitive areas protection are best implemented through the land development regulations of the Town. The primary methods to be used to give direction to the growth and development of Cecilton include zoning, subdivision regulations, annexation, codes, and a Capital Improvements Program.

### **Zoning Ordinance**

A most important concern of Cecilton is the control of land use. To avoid, erratic, untimely and incompatible development practices, which have seriously jeopardized the environment of other communities, the Town has developed land use controls, which are consistent with the Town's development character. The Plan's Land Use Element identifies land use policies which governed the zoning ordinance preparation.

The Zoning Ordinance is the regulatory device, adopted by the Mayor and Council, which implements the Comprehensive Plan. The Zoning Ordinance involved the establishment of specific regulations governing the development and use of a particular parcel or parcels of land. The ordinance defines and describes various zones, which can be applied and specifies detailed procedures governing a change of zoning.



Conventional zoning is the most commonly used device for guiding development at the local level in Maryland and many other parts of the country. It is usually employed to control the use of land and structures thereon, as well as to establish more detailed regulation concerning the area of the lot that may be developed (setbacks and separation of structures), the density of the development (minimum lot sizes, etc.) and the height and bulk of buildings and other structures. The general purpose of zoning is to avoid undesirable side effects of development by segregating incompatible uses and by maintaining adequate standards for individual uses.

The Town of Cecilton has developed and adopted a simple zoning ordinance that reflects the types of land use and community character that the Town wants to achieve for each of the Planning Districts. Two residential classifications of low and medium density are provided. In addition, the Zoning Ordinance includes a mixed-use district that corresponds to the Town Center and permits commercial and business uses, Planned Unit Development (PUD), a Highway-Oriented Commercial District, and an Industrial District.

The Town should request technical assistance from the County in administering their Zoning Ordinance. The Town's Zoning Ordinance should be consistent with the County Zoning Ordinance to the extent possible.

Other provisions that should be included in the Zoning Ordinance are:

#### *Cluster Development*

Cluster development is a method of grouping housing units together to reduce street and utility costs, while retaining the same density as regular housing types by providing “green” or “open” areas around the clustered dwellings. The cluster approach allows the economic benefits found in denser development, yet gives some of the aesthetic qualities of less densely populated areas

Applying cluster development in a community preserves open space without requiring the expenditure of public funds to purchase the development rights from landowners. The shorter road network needed to serve the cluster development results in lower costs for roads, sewer, and water lines. Costs can also be lowered through reduced street and right-of-way standards.

To apply cluster development, the zoning ordinance and/or subdivision regulation should be revised to establish procedures for the review and approval of cluster development and set the selected planning standards and/or design guidelines to permit or encourage cluster development. The standards/guidelines should establish minimum performance measures for:

- the amount, location and usability of open space to be provided;
- the location of buildings to minimize visual impact to preserve rural character;
- buffering between residential properties and incompatible neighboring uses;
- the protection of trees, and sensitive environmental features including, floodplains, steep slopes or wildlife habitat; and
- the location and design of roadways.



### *Performance Standards*

The Town of Cecilton shall consider performance standards as a means to achieve sound, quantifiable planning standards. The term performance standard implies the existence of a firm standard that can quantitatively be determined. Instead of seeking to protect the environment to the maximum extent possible, it sets a standard for protection, i.e., floodplains 100 percent and woodlands 70 percent. There is no room to debate the achievement of a standard. If 32 percent of woodland is to be disturbed, then the standard has not been met. It is clear that this type of planning means more work in developing the ordinance. The standards have to be tested, and the equity issues over the impact of the standard have to be carefully weighed before the standards are adopted. Once in place, however, there is a much lower demand on staff, since each review is a question of checking to see if the plan conforms to measurable standards. Time consuming debates, position papers, and reports that characterize ad hoc reviews dependent on arm-twisting can be eliminated. The major difficulty with adopting performance standards is that it requires solving problems up front rather than postponing them to a later date and not every potential issue can be anticipated and resolved with quantitative standards. However, a better effort to quantify standards than is presently in place is clearly possible.

### **Landscape Requirements**

The Town has adopted landscape provisions in the zoning ordinances that require all major subdivisions, planned unit developments (PUD), and commercial and industrial development to create minimal levels of landscaping on the site. Landscape provisions, at a minimum require the following:

#### *Street Trees*

An awareness of the importance of trees on our streets relating directly to the quality of life in our growth centers has been recognized. New development must create an exciting, attractive and vibrant community. New concepts — using the successful communities of our past — are permitted, encouraged and preferred. As part of this philosophy, street tree planting is required and specimen trees should be saved where possible. The Town requires that street trees be planted or retained along both sides of all newly created streets. All plantings should be done in conformance with the Cecil County Afforestation and Reforestation Codes. At a minimum, developers are required to either plant or retain sufficient trees so that for every 35 feet of street frontage there is at least an average of one deciduous tree that has or will have when fully mature a trunk at least 12 inches in diameter.

#### *Bufferyards*

Bufferyards are a design technique that shall be employed to achieve some of the objectives of the Comprehensive Plan. One of zoning's most important functions is the division of land uses into districts that have similar character and contain compatible uses. All uses permitted in any district have generally similar nuisance characteristics. In theory, the location of districts is supposed to provide protection, but in Cecilton this is not always the case because uses as diverse as single-family residential and commercial can occasionally be found adjacent to one another. Bufferyards are installed to minimize the negative impact of any redevelopment or future use of

vacant land on neighboring uses.

The bufferyard is a combination of setback and a visual buffer or barrier and is a yard or area together with the planting required thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement of this Plan are designed to minimize nuisances between adjacent zoning districts to ensure the desired character along public streets and roads. The planting units required of bufferyards can be calculated to ensure that they do, in fact, function as "buffers".

Bufferyards shall be required along property boundaries between all zones of disparate intensities in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions. Bufferyard requirements include screening of service structures in attached housing projects and in business or industrial zones, including propane tanks, dumpsters, air conditioning units and condensers, electrical transformers and other equipment or elements providing service to a building or a site.

Bufferyards shall also be used along roads to maintain and enhance visual character of the area.

#### *Landscaping of Parking Facilities*

To reduce the visual and environmental impacts of large expanses of parking areas landscaping of parking facilities are required. Landscaping in parking lots break up paved parking areas with plantings and provides improved aesthetics and micro-climatic benefits by reducing heat and glare. These provisions apply to new sites and parking areas that are to be expanded, moved, or removed and/or reconstructed. Property line landscape buffers between adjacent land uses and buffers along adjacent roads or public rights-of-way are required as well.

For any parking lot containing more than 6,000 square feet of area or 15 or more spaces, interior landscaping shall also be provided in addition to required perimeter landscaping. Interior landscaping shall be contained in peninsulas or planting islands.

#### *Rural/Scenic Roadways - the Town's Entryways*

A recurring design issue is citizen concern about scattered strip development (meaning a series of houses or businesses) along a road each taking access from that road) in the rural areas of the County. This type of strip development presents a jarring visual intrusion into the County's flat and open landscape and adversely impacts the visual image one gets entering the Town from the rural areas. Route 213 has been designated as part of the "*Chesapeake Country National Scenic Byway*".

The large-scale and permanent loss of scenic views, characteristic landscapes, and open space is perhaps the most devastating visual result of strip residential development as well as conventionally regulated commercial highway development in suburban and rural areas. The tendency has been for zoning to encourage new development to line both sides of major

roadways, eventually obscuring fields, pastures, or woodlands behind commercial frontage lots or a row of uninteresting residential units. This kind of homogenous development contributes greatly to the loss of rural character and community identity.

The Town encourages the County to develop special zoning ordinance amendments and design guidelines to address this issue along the entryways into Cecilton. Access and aesthetics should be controlled in order to avoid unappealing forms of commercial strip-development and resultant traffic congestion, or to preserve scenic rural views. These objectives have great merit for the maintenance and improvement of rural character. Specific techniques that are recommended include minimum landscape requirements for all development, including street trees and bufferyards and access controls along all County roads.

Public perception of community character is most commonly experienced moving along public roads. Requiring setbacks and vegetative screens to mitigate the harsh contrast of houses in the middle of open fields and the natural landscape can protect rural character along roads.

The transportation and visual impacts of strip development can be limited by requiring that all lots be served by an internal access road. Driveway connection along entry roads to the Town from any site or lot to any street or road should be strictly limited, except where separate entrances and exit driveways may be necessary to safeguard against hazards and to avoid congestion. These special Town entryway protection provisions shall apply to all development including major and minor residential subdivisions.

### **Sensitive Areas Implementation - Environmental Performance Standards**

This section of the Plan requires performance standards that implement three important goals of the Comprehensive Plan dealing with protection of natural resources, management of stormwater quality, and avoiding conflicts between adjacent land uses. These performance standards shall apply to all new development in the Town.

#### *Perennial Stream Buffers*

Where possible a 100 foot minimum setback from all perennial streams, as shown on U.S.G.S. 7.5 minute quadrangle maps or identified through other means, e.g., field surveys or the Cecil County Soil Survey, should be required for any disturbance. Specific instances may be exempted from this requirement including road crossings, essential services such as electric, sewer, and water lines, but access should be identified. In addition, regulations should provide for existing conditions that may preclude a 100 foot buffer, for example lots-of-record adjacent to a stream with insufficient width or depth to permit a reasonable building area and at the same time achieve the 100 foot buffer. Administrative variance provisions could be established so these situations can be addressed expeditiously and with little or no cost to the landowner.

#### *Ephemeral Streams Buffers*

Where possible a 50-foot minimum setback from all ephemeral streams as identified on the U.S.G.S. 7.5 minute quadrangle maps or identified through other means, e.g., field surveys or the Cecil County Soil Survey, is recommended. Again, the Zoning Ordinance shall specify exempted activities and provide for existing conditions.

#### *Sensitive Soil Setback*

The Stream Buffer should be increased to protect sensitive soils adjacent to the 100-foot perennial stream setback, including hydric soils, floodplains, steep slopes, highly erodible soils, and highly permeable soils.

#### *Nontidal Wetlands*

There should be at least a 25-foot setback from nontidal wetlands. No direct or indirect disturbance to nontidal wetlands should be permitted except as allowed by State and Federal nontidal wetland regulations.

#### *Vegetated Buffer in Stream and Nontidal Wetland Setbacks*

Vegetation in the perennial stream and nontidal wetlands setbacks should be preserved and maintained in a natural state, or if not present, created through planting of native species appropriate to the site.

#### *Tidal Wetlands*

Town policies and regulations regarding wetlands shall be in conformance with and implement appropriate State and Federal legislation.

#### *Steep Slopes*

There shall be no structures or impervious surfaces placed on slopes greater than 25 percent nor shall grading or clearing be permitted on steep slopes. Growth and development should be generally prohibited on slopes between 15 and 25 percent, unless it can be demonstrated that the stability of the slope will be improved and that adverse environmental impacts will be mitigated. In the case that development does occur on slopes between 15 and 25 percent, good engineering practices coupled with conservation practices such as the protection of existing vegetation, shall be used for sediment and erosion control during construction, and slopes shall be stabilized as soon after disturbance as possible.

#### *Forest Cover Protection*

The Town of Cecilton should prepare and adopt, as part of its Zoning Ordinance, a Forest Conservation Ordinance that requires that all land development limit clearing of natural vegetation and retain specimen trees to the extent possible, as determined by a forest stand delineation study.

The Forest Conservation Regulations require that a person making an application for subdivision, site plan approval, project plan approval, a grading permit, or a sediment control permit for an

area of land of 40,000 square feet or greater must submit to the Town a forest stand delineation and a forest conservation plan for the lot or parcel on which the development is located. Cecil County administers the FCR for the Town.

#### *Floodplain Protection*

Currently, Cecilton is not located in a floodplain. However, if through annexation the Town acquires land in a floodplain it should prepare and adopt a Floodplain Management Ordinance consistent with Federal requirements. Additionally, the Town, as part of that Floodplain Management Ordinance, should prohibit new development, new platted lots and substantial improvements to existing structures in the 100-year floodplain.

#### *Stormwater Management (Creation of Impervious Surfaces)*

All land development shall be encouraged to minimize impervious surfaces through good site design, use of pervious surfaces where use by people or vehicles is infrequent, and full utilization of height limits on structures.

#### *Clearing and Grading Strategies*

Land management decision makers, developers, construction contractors, and others influence ways in which we grow and the landscape in which we live. Grading and clearing activities that precede land development challenge communities that have clear environmental protection objectives, as well as growth and development objectives. Unsustainable grading and clearing practices increase sediment loads, increase erodibility, and affect water quality, habitat, and aquatic life.

Engineered practices to limit the affects of grading and clearing are not enough. The Town of Cecilton requires investigating alternative, sustainable practices to limit the impacts of clearing and grading associated with new development on steep slopes, threatened and endangered species habitat, and water quality. Such innovative practices shall include preserving existing vegetation, cluster development, minimum disturbance trenching methods, site inspections and seasonal restrictions.

#### *Habitats of Rare, Threatened and Endangered Species*

Current information on habitats of threatened endangered species is available through the Maryland Department of Natural Resource's, Heritage and Biodiversity Conservation Programs (HBCP). Copies of the mapping system that HBCP has developed, Sensitive Species Project Review Areas, is available through the Cecil County Department of Planning and Community Development. These maps can be used to identify sites where construction projects could adversely impact rare, threatened and endangered species habitats. The developer can locate his project site on the map and immediately determine whether his site falls within a project review polygon.

When a project is within a Wildlife Habitat (Project Review Area) polygon, the developer is required to contact the Maryland Department of Natural Resource's Heritage and Biodiversity Conservation Program (HBCP). HBCP will work with the developer to determine whether the



project will adversely impact the habitat of a threatened or endangered species. HBCP will then work with the developer and the Town to eliminate or minimize the impacts.

### **Open Space Recommendations**

A minimum common open space (spaces designed and intended for the use and enjoyment of all residents of the development) should be set aside in residential developments and improved with such complimentary structures and improvements as are necessary and appropriate for the use, benefit and enjoyment of residents of the development. Common open space areas should be exclusive of tidal wetlands, road rights-of-ways, parking areas, and only a limited amount of these areas designated as nontidal wetlands.

Common open space may serve recreational purposes, preserve significant site features, and preserve open space. The uses authorized should be appropriate to the purposes intended to be served. Open space designed to serve recreational purposes should be appropriate to the scale and character of the cluster development, considering its size, density, expected population, and the number and type of dwelling units proposed.

At least 15 percent of any site should be set aside as permanent open space. Where possible, this open space should encompass streams and stream buffers. Stream buffers that are part of the pedestrian trails and/or bikeway system shown in this Plan should be dedicated to public use. The Planning Commission may allow payment in-lieu of open space in whole or in part. Planned and cluster communities shall be required to set aside at least 30 percent of the site in permanent open space. In addition, at least 20 percent of a development site shall be landscaped with tree species native to Cecil County. Stormwater management areas should not be considered as open space areas.

### **Neighborhood Parks**

In order to implement the Open Space and Recreation objectives for the Town, all residential subdivisions should be required to provide recreation opportunities. The Town requires that all new residential developments in the Town shall provide, at a minimum, (through dedication or reservation) recreational areas in the form of neighborhood parks at the rate of 0.005 acres per residential unit, with a minimum area not be less than 5,000 square feet.

The Town Mayor and Council shall permit payment of a fee in-lieu, dedication, reservation or a combination whenever these open space requirements cannot adequately meet the open space and recreation responsibilities of the development or if the development is less than 30 homes or within 1,500 feet from another park or playground. The fee in-lieu shall be on a per-dwelling-unit basis as established by the Town. Fees collected should be deposited in a designated account with funds expended for the Cecilton Park or for other planned park and recreation facilities. (Park improvement list at back of Plan)

The purpose of the neighborhood park is to provide adequate active recreational facilities to serve

the residents of the immediately surrounding neighborhood within the development. The following are examples of the types of facilities, but not inclusive of, that may be deemed to serve active recreational needs and count toward satisfaction of the neighborhood park requirements of this article: tennis courts, racquetball courts, swimming pools, sauna and exercise rooms, meeting or activity rooms within clubhouses, basketball courts, playground apparatus, hiking trails and biking paths.

Each development should satisfy its neighborhood park requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development. However, unless it appears that less than 5 percent of the residents of any development are likely to be children under 12, then at least 15 percent of the neighborhood park must be satisfied by the construction of "tot lots" (i.e. areas equipped with imaginative play apparatus oriented to younger children as well as seating accommodations for parents).

Neighborhood parks should be attractively landscaped and shall be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences. Each neighborhood park should be centrally located and easily accessible so that it can be conveniently and safely reached and used by those persons in the surrounding neighborhood it is designed to serve. Each neighborhood park should be constructed on land that is relatively flat, dry, free of nontidal wetlands, and capable of serving the purposes intended.

As a concluding policy statement relative to the Town's proposed Open Space and Recreation System, it should be recognized that such a system would make a significant contribution toward improving the quality of life.

### **Subdivision Controls**

The second major implementation tool available to the Town is Subdivision Regulation. Under Maryland law, the Town has the authority to regulate the subdivision of land within Cecilton. Subdivision regulations provide the local legislative body with regulatory powers to assure that land is developed in a manner which will best promote the public health, welfare, and safety, consistent with the Comprehensive Plan. Local regulations provide for the control of land development practices, establish uniform standards of development and recording, establish erosion control measures, guide the arrangement of streets, and establish the relationship between subdivision access routes and the existing transportation routes of the community. Local subdivision regulations provide a regulatory tool for coordinating the private division of land into lots or parcels consistent with public policy established by the Plan.

The primary purpose of the subdivision regulation is to coordinate private development practices with public policy. To this end, the regulation establishes basic standards and design principles for constructing community facilities. Although these facilities are normally paid for and installed by the private developer, the ultimate goal is to dedicate these facilities to the public body for maintenance and ownership. These standards have been established in advance of



installation by the developer in order that the Town is assured of developing a uniform system of public facilities.

### **Regulatory Streamlining**

The Town's Zoning Ordinances and Subdivision Regulations include, wherever possible, provisions that encourage regulatory streamlining. Specifically, the Town incorporates development review streamlining provisions in its regulatory review process to guide government regulators to be flexible, to seek and permit alternatives, and to be innovative within planned growth areas consistent with the goals and objectives of the Comprehensive Plan. The Zoning Ordinances and Subdivision Regulations also have been prepared in a user-friendly fashion to speed regulatory reviews and reduce erroneous submittals. A regulatory review guide to assist Town staff, planning commission members, and developers has also been prepared to further enhance the speed and efficiency of the Town's regulatory review process. Finally, the Town's regulations encourage Town officials (and State agencies, where applicable) to meet with the developer before project plans are prepared. This enables the Town and the applicant to agree on required submittals, land use and development regulations, and procedures.

### **Plan Administration and Enforcement**

One of the most important issues considered in the updated Comprehensive Plan, Zoning Ordinances and Subdivision Regulations was administration and enforcement. The most well conceived plans and ordinances would lose effectiveness (and in some cases be invalidated) without consistent and equitable administration and enforcement. The responsibility for administering and enforcing the Comprehensive Plan and its associated ordinances and regulations rests primarily with the Town Council, Planning Commission, Board of Zoning Appeals and the town staff. Each group has a different role in administration and enforcement. Their roles are defined and understood in the context of this plan along with guidance in decision-making, and also the size and cost of staff needed to effectively enforce these regulations.

Adherence to this Comprehensive Plan will result in more efficient and effective regulation, administration and enforcement, and eliminate many of the legal arguments for re-zoning based on "change". The Plan must contain high quality standards that are easy to interpret and readily enforceable. Failure to make use of this Comprehensive Plan as a guide for future development, regardless of its merits, is bound to lead to inconsistent and ineffective enforcement of zoning regulations. For this reason, it is important that town officials make distinctions between decisions based on a plan and decisions based on concerns with the application of the plan. If decisions are not based on consistent application of plan policies, but rather as piecemeal reactions to zoning proposals, then the community should direct the planners to revise the plan rather than attempt to formulate reactive policy at the zoning decision level.

Our Comprehensive Plan and our Zoning Ordinance, by their very design, are intended to

complement each other. The Comprehensive Plan is used to guide development, while the Zoning Ordinance is a legal document that regulates how and where it is done. Our Zoning Ordinance serves as a set of standards against which site development is reviewed. For example, if a review of a proposed development is taking place and there is an existing policy regarding control of access to roads, then the adequacy of access control should be a critical aspect of the review. If a project will have adverse impacts on neighboring residents, then a determination needs to be made as to how the project can be revised to mitigate these impacts, if at all, in terms of landscaping, setbacks and other standards. If the ordinance is utilized throughout the review process, then officials need only determine whether the proposed development meets or fails to meet the standards set forth. If the proposal conforms to the Comprehensive Plan and Zoning Ordinance, then development can begin. Otherwise, the developer is faced with one of two options: amend the proposal or forego development. Another response, of course, is to challenge the regulation in the courts. Developers may simply challenge the appropriateness of certain regulations as applied to their particular development. A developer may also challenge the validity of the ordinance itself. If zoning ordinances are constantly and successfully challenged, then this will most certainly be reflected in the quality of regulation enforcement.

One of two courses of action can be taken in the event that a standard is challenged as inequitable: the law can be upheld, ensuring that the development remain in keeping with the Comprehensive Plan and Ordinances, or the validity and fairness of the Plan itself can be reviewed. A review of the Plan, including any revisions, however, should occur separately from any development review process. The Town Council and Planning Commission have established a procedure for reviewing and updating the Plan. When a concern arises during a development review, the Council and the Planning Commission should defer action until the planning staff has had an opportunity to review the concerns within the context of the Comprehensive Plan, rather than grant a precedent setting variance. Town officials, if the issue warrants it, should amend the Plan and then grant the development approval. Otherwise, individual cases are more likely to be treated on an individual basis, thereby undermining any attempts to improve the quality of zoning administration and enforcement. Unfortunately, the very nature of the development review process lends itself to this case-by-case approach. When reviewing the conformance of a development to the Plan and Ordinances, particular features of the Plan are bound to be brought into question. The natural tendency is to become involved in the issue of inequity and the plight of the landowner, losing sight of the larger purpose of the Plan. Questions of inequity cannot be permitted to overshadow the Plan. The Plan and Ordinances, after all, are supposed to serve as a standard for regulation and should not be reviewed each time a development is proposed. When the town is concerned about an apparent inequity, it has specific mechanisms to force a review of the policy. Planning officials shall monitor alleged inequities or concerns about unfair ordinance provisions over a one or two-year period. If the same complaints reoccur, then they will responsibly recommend changes to the elected officials. This technique eliminates knee-jerk amendment reactions to isolated incidents of complaint regarding equity.

The purpose of our Comprehensive Plan is to provide a basis for consistent, high quality enforcement. The Plan and Zoning Ordinance contain definitive and relevant policy statements

that are readily achievable.

The quality of enforcement is not simply related to the quality of the Plan. It is also jeopardized when confronted with poor technical support. Accurate assessment of site development problems and an ability to assist the developers in meeting the community's goals are essential functions regardless of the type of ordinances or plans a community has adopted. Inadequate staffing will also influence the quality of administration and regulation enforcement. Without proper staffing, it becomes difficult to effectively administer and enforce zoning ordinances.

Inadequate funding often serves as a contributing factor to lack of proper enforcement. Adequate funding is essential for drawing high quality professionals with technical expertise. It is also necessary to keep staffing levels high enough to efficiently and effectively administer and enforce regulations.

Adequate funding is essential for proper enforcement of these documents. Increasing population and growth, and subsequent pressures for development, will directly affect costs relating to enforcement. New initiatives will require a high degree of administration and enforcement effort. The increased interagency coordination required for plan review and the additional review of environmental impact assessments or transportation impacts of projects are just two examples of the increased demands which will be placed on the town staff in the future.

Another factor that can contribute to lack of enforcement in the development plan review process is the lack of guidance for handling discretionary decisions. The effect is the same as approaching site development on a case-by-case basis. Without proper guidance, discretionary decisions are likely to result in varying degrees of enforcement of zoning ordinances. Enforcing a comprehensive plan uniformly is difficult without set standards for handling discretionary cases. Proper guidance through development review process management will vastly improve the quality of enforcement and administration.

One enforcement issue that deserves special treatment is non-development review related. It is the monitoring of compliance with the regulations on a day-to-day basis after the development has been completed. Often, it is violations of this nature that are the most visible way for Town residents to measure the success of the planning program. The accumulation of junk cars, illegal trailers, illegal home occupations, and illegal signs are typically frequent infractions.

Another difficult type of infraction to monitor is the continued compliance with site plan requirements. For example, landscaping or screening may be required as a condition of an approval; however, even if it is installed as per the plans, it is difficult to ensure that the plantings live and thrive and continue to function.

The process for actually forcing compliance with a regulation that is getting corrective action or stopping an action, can be a cumbersome one. Even with the most blatant violations such as closing an illegal business, the legal and judicial process can be lengthy. This can be a costly and

time-consuming drain on the resources of the town.

Zoning violations under the current ordinance are established as a misdemeanor, a criminal offense, punishable by a fine and/or imprisonment. Meeting the test for a successful criminal prosecution may add more delay time and cost to the proceeding. Frequently, judges are reluctant to give an offender a criminal record for most zoning violations. Certain offenses such as sign and setback violations may be able to be handled by civil penalties, which should be explored with the town attorney when the zoning ordinance has its next review.

## **SUMMARY OF PLAN**

The Town Comprehensive Plan is intended to capture a vision of the future of Cecilton. As such, it provides a basis for a wide variety of public and private actions and development decisions, which are to be undertaken in the Town. It provides general guidelines to the local community in order that piecemeal improvements or day-to-day decisions can be properly evaluated against their long-range impact upon the community and their relationship to existing settlement patterns. The Plan, and in particular the Land Use Element indicates the proposed general or conceptual development pattern of the community expected through 2020. It is not a detailed blueprint. It is, however, a guide that delineates and encourages patterns of development, which permit orderly and economical growth of the community in a manner that can be more efficiently served with a variety of governmental services and facilities.

The Town believes all these elements working together will create a more desirable, livable Cecilton.